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ARCHIVES OF MARYLAND

PROCEEDINGS

OF THE

COUNCIL OF MARYLAND

1696/7-1698

PUBLISHED BY AUTHORITY OF THE STATE, UNDER THE DIRECTION
OF THE MARYLAND HISTORICAL SOCIETY

WILLIAM HAND BROWNE
Editor



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YBAJBL OBOYMATZ

ROOMS OF THE MARYLAND HISTORICAL SOCIETY,

BALTIMORE, *December* 10, 1903.

To the Maryland Historical Society:

GENTLEMEN :

We have the honor to submit the Twenty-third Volume of the Maryland Archives, being the Proceedings of the Council of Maryland from January 30, 1696/7, to September 6, 1698.

Respectfully,

CLAYTON C. HALL,
HENRY STOCKBRIDGE, JR.,
BERNARD C. STEINER,

Committee.

ARCHIVES OF MARYLAND.

The following volumes have been published :

- I.
- PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1637/8-1664, 1883
- II.
- PROCEEDINGS AND ACTS OF THE GENERAL ASSEMBLY, 1666-1676, - 1884
- III.
- PROCEEDINGS OF THE COUNCIL, 1636-1667, - - - - - 1885
- IV.
- JUDICIAL AND TESTAMENTARY RECORDS OF THE PROVINCIAL COURT,
1637-1650, - - - - - 1887
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- JOURNAL OF THE MARYLAND CONVENTION, JULY 26-AUG. 14, 1775 }
JOURNAL AND CORRESPONDENCE OF THE COUNCIL OF SAFETY, AUG. } 1892
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XII.

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XXIII.

PROCEEDINGS OF THE COUNCIL, 1696/7-1698, - - - - - 1903

PREFACE.

The winter of 1696/7 was severe and long beyond all precedent, and was followed by a very sickly summer. Many of the sick having found benefit from drinking the waters of the Cool Springs in St. Mary's county (near the site of the present Charlotte Hall) the Assembly purchased the land and built cabins for the sick poor, providing also Bibles and other religious books for their use, and persons to read to them.

The war between France and England had its effects on this side the Atlantic. Frontenac, the Governor of Canada stimulated the Canadian Indians to harass the northern English settlements, and small roving parties perpetrated various murders, some of which the English charged to their friends, the Five Nations. An uneasy feeling spread through all the Indian tribes, and extended as far South as Maryland and Virginia, though no serious outbreak occurred.

The name Onondio (p. 66) given to the governor of Canada, had its origin from the following circumstances. When Montmagny, the second governor, assumed his office, he had a conference with chiefs of all the Indian tribes allied with the French. On their asking the governor's name, the interpreter translated it into their tongue, "Onondio," which signifies "Great Mountain." The Indians understood this to be the title of the office, and thenceforth called every French governor Onondio.

The seas at this time were much infested with pirates, and many references to them and their doings occur, particularly to the notorious Every or Avery, the hero of many a truculent story. In Philadelphia, it is said, they walked the streets boldly, strong in the support of the merchants, who drove a profitable trade with them.

Considerable space is given to the affairs of the turbulent Cood and his abettors. It might seem that the profligate and blasphemous wretch, whom Nicholson once caned with his own hand for drunken brawling in church (p. 452) was hardly worth the governor's attention. But Cood was a man of considerable ability, utterly unscrupulous, and a vigorous hater. He had put himself at the head of the revolution

which overthrew the Proprietary government, and in virtue of this posed to the English government as the champion and spokesman of the Protestant party in Maryland. The State Papers show that he was in constant correspondence with the Board of Trade and the Secretaries of State, plying them with accusations and slanders against the governor and all the leading men against whom he had a grudge. As his real character was not known in England, and he invested his reports and charges with a plausible circumstantiality worthy of Defoe, he was capable of doing much mischief. Nicholson tried to lay hold of him, but he fled to Virginia, where he was sheltered by Governor Andros.

A number of papers of historical importance were recently discovered, by the means of Henry F. Thompson, Esq., in the Public Record Office, London, and such of these as are included in the present volume are distinguished by the letters P. R. O. in the margin. Several documents from the same source which were discovered too late to be printed under their proper dates, have been added as an appendix.

PROCEEDINGS
OF THE
COUNCIL OF MARYLAND

CHARLES CALVERT, LORD BALTIMORE,
Proprietary.

FRANCIS NICHOLSON, ESQ.
Governor.

1696/7-1698

Jan^y the 30th 1696.

Lib. H. D.

P^rsent

His Ex^{cy} the Govern^r & S^r Thomas Laurence Baron^t Secry

A Consultacōn
abt the Ship
Charles of
Topsham

M^r Attorney & Sollicito^r Gen^l being sent for came accordingly to whom his Ex^{cy} was pleased to propose whether the Ship Charles of Topsham Rich^d Bass Master (being Accused for breach of the Acts of the 12th 14th & 15th of King Charles the Second for being an Unfree bottom & unqualified to Trade in this Province and a Tryall thereon having been had by a Speciall Court and Jury & being Returned upon the p^rmises not guilty by the Jury and Judgm^t by the Court given for her discharge) may legally Load with Tob^o & Export the same; who (after Some Consultacōn thereon had) do say that his Ex^{cy} taking a Copy of the Proceedings of the s^d Court together with a Copy of the Certificates from the Commission^r of his Ma^{ty} Customs here produc'd by the s^d Master and Remitting the same to the R^t hon^{ble} the Lords of the Treasury for their Lordships Judgm^t therein, and upon the s^d Bass'es giving Bond with Sufficient Security to Stand and abide their Lord Ships determination in the p^rmises, That then his Ex^{cy} may without any detrim^t or damage permit the s^d Ship to Load with Tob^o and Export the same pursuant to the Ten^r of his Bond passed in England.

By his Ex^{cy} the Govern^r &^{ca} & Jan^y 18th 1696.

Ord^r abt an
Idle Report
sent to be
published in
each County
of the Province
abt the fleets
Sayling

Whereas an Idle Report hath been lately spread abroad in this County of Ann Arrundell how that the f^lleet is not to Sayle untill May, and that as if a Sort of Declaracōn had been publickly Read last County Court to the s^d Effect, which is a most apparant and Notorious falsity; the Comōdore having not yet prefixt the time, but will be shortly sent to upon that Acco^t Ordered therefore that the Sherff. of the s^d County do imēdiately publish this throughout the Severall parts & p^rcinct. of his Bayliwick to the End the people may be undeceived and not give Credit to such foolish and palpable lyes & stories.

Signed p Ord^r

Hen: Denton Cl Concil.

l. lib. H. D.

By his Ex^{ncy} the Govern^r &^{ca} Jan^{ry} 28th 1696.

P. 45^t Ord^r abt
tendering an
Oath to all
Masters of
Ships &^{ca}

Ordered that the severall Collectors and Navall Officers within this Province do (for the future) tender an Oath to the Severall Masters of Ships at their Entry making, Viz^t that their Ships are Rightly Navigated and qualified according to the Severall Acts of Trade and that they have imported no Goods but what are legally Cocquetted and have paid the Kings Duties according to Law.

Signed p Ord^r

Hen: Denton Cl. Concil.

By his Ex^{ncy} the Govern^r &^{ca} Jan^{ry} 28th 1696.

Ord^r abt
fforfeited
Navigation
Bonds &^{ca}

Whereas his Ma^{ty} having obtaind Judgm^t for severall Sumes of Money upon Acco^t of fforfeited Navigacōn Bonds, for which his Ex^{ncy} has given his promise that no Executions shall issue thereon untill his Ma^{ty} pleasure shall be further known; And it being Represented that some p^rsons (since Judgm^t passed ag^t them) have gone about or at least do Endeavor to Convey away or dispose of their Estates with intent to defraud his Ma^{ty} of such Judgm^t obtained; Ordered that it be Referred to M^r Attorney and Sollicito^r Gen^l whether such Conveyances may be deemed legall and to Advise what way may be most suitable & proper for his Ma^{ty} Service to obstruct and hinder such fraudulent Conveyances, whereby those Judgm^t may Effect the Estates of those p^rsons ag^t whom they are obtain^d from the time of their first passing, and that they make Report thereon accordingly with all Convenient Speed.

Signed p Ord^r Hen: Denton Cl. Concil.

ffeb^{ry} the 1st 1696.

Present

His Ex^{ncy} the Govern^r

S^r Thomas Lawrence Baron^t Secry. }
Cap^t Josiah Daniell }
George Plater Esq }

Ord^r abt
Cops of the
Comodores
Lre & Ord^r
thereon to be
sent to each
County

Produced and Read a Letter by his Ex^{ncy} Recd: from the hon^{ble} Cap^t Charles Wager Comodore of the Virg^a and Maryland fleet giving an Acco^t of his Ordⁿ to Cap^t Daniell when he should Saile &^{ca} Ordered that Copy of the s^d Letter (so farr as Relates to the fleets Sayling and news) be sent to the Shrffe

of each County with Ordⁿ to Shew the same to all the Masters of Ships and Merch^u and that publication be made and Notice Given thereof to all the inhabitants of the Province in generall commanding all Persons to Conform themselves accordingly; the s^d Ord^r being Drawn up was Read and Approved off his Ex^{ncy} asking Cap^t Daniell if he could think of any thing further for his Ma^{ty} Service in this behalfe, who Says he thinks the same is sufficient. His Ex^{ncy} is pleased to give Ordⁿ to M^r Plater for to shew a Copy of the s^d Letter &^{ca} to the Masters of Ships in South River Herring Creek and Petuxant River.

The Copy of the s^d L^{re} and Ord^r followes in these Words Viz^t

Part of a Letter by his Ex^{ncy} the Govern^r recd: from the hon^{ble} Cap^t Charles Wager Commodore of the Virg^a and Maryland ffeet dated the 27th of Jan^{ry} 1696/7 Viz^t

Comodores S^r
L^{re} to his
Ex^{ncy} abt the
Ships Sayling

I recd: your Ex^{ncy} Letter by Lieu^t Ockman who I kept longer then I intended having no News before now to send to yo^r Ex^{ncy} here is at last two Ships Arrived from England but no Ordⁿ for me I understand by Letters that the King has Ordered in Councill two men of Warr which are supposed to be the Weymouth & Woolwich to be sent hither to bring home the latter Ships Nevertheless I have sent an Ord^r to Cap^t Daniell to Continue in Maryland till the 1st of March, by which time I hope all the Ships that Came in with Us will be Ready to Come Down with him & Joyn the ffeet here; I suppose yo^r Ex^{ncy} hath an Acco^t of the Men of Warr bound hither who may be Expected here the latter End of feeb^{ry} here is noe News here but what yo^r Ex^{ncy} will have in yo^r pacquets by Leiu^t Ockman; Cap^t Rhodes tells me there was forty saile of men of Warr bound to the Streights and about three hundred Sayle of Merch^tmen to all parts; that were most of them under Sayle at Spithead the 2^d of Novemb^r S^r Cloudsly Shovell Admⁿ bound to the Streights that an Express Came that day and Stopt them and the next day they Came away with all the Merch^t Ships and only ffive men of Warr Commanded by Vice Admⁿ Nevill, he says there was great talk of a Plott being found out, and a designed invasion but knows noe particulars.

Ord^r to the
Sherriffs to
shew the
Comodores
Lett^r to all
Mastrs &
Comand^{rs}

Maryland: ss

I do hereby, in his Ma^{ty} Name Strictly Ord^r and Command the Severall Sherriffs of the Province that immediately (upon sight hereof) they personally shew the above Letter to all Masters of Ships and Merch^u within their respective Counties as also

Lib. H. D.

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Lib. H. D. give Copyes thereof to their Under Sherriffs with directions to shew the same to all the inhabitants & others in Gen^l and goe therewith to their severall habitacōns & places of abode where unto all p^rsons are hereby Required to Conform themselves accordingly and if in Case any Masters of Ships Merchants or any others have any thing to Write or Offer to the Comodore why they cannot get their Ships ready to Sayle by the time appointed they are hereby directed to draw up their Reasons in writing and deliver the Same to the Sherriffs by them to be transmitted hither, with all imaginable speed together with the masters petition & other papers last Decemb^r sent to be p^rsented to the Severall County Courts and Grand Juries &^{ca} so that a Return thereof be made to be here by the 18th day of this Instant ffeb^r along with such of his Ma^{ty} Councill as Come from their parts (being then appointed to meet) or other Safe Conveyance by Expresses whereof the s^d Sherriffs are to take due Care to make Compliance herein at their Utmost perill, but upon failure must Expect to be sent for hither in Irons for their disobedience and Contempt to his Ma^{ty} Commands hereby signified Given at the Port of Annapolis under my hand and Seal this ffirst day of ffeb^r in the Eighth year of his Ma^{ty} Reign &^{ca} Annoq Domini 1696.
ffr. Nicholson

An Abstract of what News his Ex^{ty} Recd: in a Letter sent from Cap^t Thomas Tasker, Dated 1st of ffeb^r 1696, Viz^t

Abstract of
news taken out
of Mr Taskers
Lre That the ffrench King is dangerously Sick and
that the Docto^r have given him over. Great
preparations for next Campaigne both by Sea &
Land—Our men of Warr dayly fitting—Money begins to be
plenty—The Empero^r has kill'd Ten thousand of the Turks in
a Battle last Summer.

The Sherriffs are hereby Ordered to Publish the above
news at the Same time with the Comodores Letter.

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Port of Annapolis ffeb^r 1st 1696.

His Ex^{ty}s Lre S^r
to each of his
Ma^{ty} hon^{ble}
Councill Having Some very Urgent Business importing
his Ma^{ty} and the Countreys Service to communi-
cate to his Ma^{ty} hon^{ble} Councill, this comes to Signify th^t I
have appointed their meeting at this place the 18th of this
instant ffeb^r and therefore do Require th^t (all Excuses set
apart) you be here by the time afores^d without faile, whereby
his Ma^{ty} Service may not be delay'd or impeded, it being the
Ord^r of Your most Affectionate ffriend
ffr. Nicholson

One of the above being directed to each member of his Lib. H. D.
Ma^{ty} hon^{ble} Councill was sent to be Served by the respective
Sherriffs accordingly

Port of Annapolis ffeb^y 2^d 1696.

M^r Gouldesborough

L^{re} to M^r
Gouldesbor-
ough to Attend
the Councill

S^r

There is a Councill appointed to meet at this
place the 18th Instant, at which you must Attend
and be here, upon Acco^t of his Ma^{ty} and the Countreys
immediate Service whereof you are in no wise to faile, is what
by Sp^{ll} Command at p^rsent Offers from S^r

Your humble Servant

Hen: Denton

Maryland ss. The Deposition of Thomas Collyer one of his
Ma^{ty} Riding Surveyo^r of the Province of Maryland Aged ffory
six years or thereabth Deposeth.

M^r Colliers
Deposition abt
the sd Ship &c

That in the Month of June or July Anno 1682.
Came into the Road of Tangere a Tunnis man of
Warr from the Westward with a Dutch ffly boat
Prize burth. two hundred Tons or thereabouts Loaden with
Wheat and Barley and sold by inch of Candle in the s^d Port
to one M^r James Warren Merch^t in the s^d Port for a
Valluable Consideracōn which this Deponent has totally
fforgot. The Same day this Deponents Brother Cap^t Charles
Collyer one of his Ma^{ty} Cap^{tn} did buy the s^d Ship and Loading
of the afores^d Warren and in some Short time after, the s^d
Collier did send the s^d Ship and Cargoe to Cadix in Spain and
Consign'd to one M^r W^m Burditt Merch^t in the s^d Citty and
after her Cargoe was sold the s^d Deponents Brother Ordered
the s^d Burdett to dispose of the s^d Vessell w^{ch} then went by
the Name of the Charles and was so named by this Deponents
Brother and still Continues by the same Name, The s^d Vessell
by the afores^d Ord^r was disposed off to one Franckmore a
Master of a Vessell of Topsham in the Kingdom of England
for seaventeen hundred peices of Eight or thereabout who
Loaded her home with Salt this Depon^t being at Cadix at the
same time and wished the s^d Franckmore good luck in the-
s^d Ship and told him he had a Cheap Ship To which he
Answered that he should Clear her by that Voyage, This
Dep^t sayd that he did believe it would Cost him a great deal
of money to make her a free Ship for Trade, to which he
answer'd that he would not put himself to that Charge for

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Lib. H. D. he Could trade up and Down without it. This Deponent being at a certain place at an Ordinary in the afores^d Province of Maryland about the 16th or 17th day of Dec^r 1696. Came into the s^d Ordinary a young Merch^t Named Thomas Beale and this Depon^t asked him what Countrey he was of the Answer he made was that he was Either of Exon or Topsham of which this Depon^t cannot well Remember, This Depon^t told him that he was at Cadix ab^t fourteen years since where he was at the Selling of a Ship to one Franckmore of Topsham w^{ch} s^d Ship did then belong to this Deponents Brother, the s^d Tho Beale answered that the same Ship is now in the Countrey and had been here before; This Depon^t asked him how she could Trade not being a free bottom, the s^d Beale say'd that she was not free This Depon^t Say'd how durst you then Trade to w^{ch} he Say'd wee have a permitt to Trade but not to Export out of England for they Export their Goods out in other Ships for the Loading of her, upon which this Depon^t by an informacōn that she had brought goods into this Countrey seized the s^d Ship and further this Deponent Sayth not. Tho: Collier

Annapolis ffeb^{ry} the 2^d 1696.

Sworne then before me Thomas Laurence Secretary and Publick Notary of Maryland

Tho: Laurence

By his Ex^{cy} the Govern^r &^{ca}

ffeb^{ry} the 3^d 1696.

Ord^r to the Sherriffs ab^t the Councills Meeting Ordered that the Sherriffs of the Province doe upon Sight hereof give notice to all the masters merch^{ts} and Traders in generall within their respective Counties of the time appointed for the Councills meeting (viz^t the 18th instant) so th^t if they have any application to make or Reasons to give, unto his Ex^{cy} & Councill why they cannot get their Ships ready to saile so soon as by the first of March they may then have the opportunity of p^rsenting such their Reasons in writing or send them to the Sherriffs in Ord^r to be dispatched hither for Answer &^{ca} whereof the Sherriffs are to take due Care.

Signed p Ord^r Hen: Denton Cl Concil

Mr Collyer sent by Express over the Bay

Mr Thomas Collyer, the Bearer, being employed to Carry Severall Expresses over the Bay for his ma^{ty} and the Countreys service, this is therefore to Require the Master or Command^r of any Ship or Vessel

Riding in Herring Creek for to Assist the s^d Collyer with Boat and hands forthwith in Ord^r to the setting him over to the Port and Town of Williamstadt, whereof let be noe failure Given under my hand and seal this 2^d day of ffeb^r in the Eighth year of his Ma^y Reign &^{ca} Annoq Domini 1696.
ffr: Nicholson

To all the masters or Comandⁿ
of Ships and Vessells riding in Herring
Creek }
These

Maryland ss.

Mr Perry sent by Express to the Comodore in Virg^a Mr. John Perry the Bearer, being employed by me (upon acco^t of his ma^y and the Countreys imediate Service) for to goe Down to the Comodore with an Express, is hereby directed to call upon all the Mastⁿ merchⁿ & Comandⁿ of Ships in his way to Potomock and to Shew them the Copy of the Comodores Letter & Ord^r thereon herewith Sent to the End if they have any Letters or other matter to send to him, they may doe it by the Bearer; and this likewise comes in his ma^y Name generally to Require the mast^r or Comand^r of any ship or Vessⁿ Riding at wiccomco in Potomock River for to aid and Assist the Bearer with Boat and hands forthwith in Ord^r to the giving him a speedy passage over the s^d River into Virginia whereof they are in no wise to ffaile; Given under my hand and seal this 3^d day of ffeb^r in the Eighth year of his Ma^y Reign &^{ca} Annoq Domini 1696. p. 454

To all Masters and Comandⁿ &^{ca}

These.

Cap^t Wager.

Capt Daniells Sr
L^{re} to the
Comodore abt
the weath^r
whilst his
being here.

I Received yo^r Letter and the inclosed Order of the 27th instant, by Lieuten^t Oakman who left my boat at Herring Creek not being able to proceed further by Reason of the Ice, I will make it my business to follow yo^r Orders Exactly if wind and Weather permitt, We have had extraordinary ffridgid weather ever since I sent L^t Ockman to you which was the 18th of December last much Snow almost Continually on the Ground and the Rivers & Creeks frozen up the Ice Cast up so confusedly thick in one place and thin in another that there was no Venturing on it that we have not been able to get on Shore in Ten days following and abundance of Ice in the Bay that Severall Sloopes and boates was Ketcht in it and drove about, for severall days, p. 38

Lib. H. D. some Sloopes Lost and Severall men perisht and many was ffrost bitten, Tis Reported that my Purser is Cast away, I have heard nothing from him since Nov^r last, our Provisions falls very short, I having but a months bread which Endeavour'd to Reserve towards Carrying us to England, by baking bread to supply our p^rsent Occasions, I have put the Provisions into the Pursurs Stewards Charge untill further Ord^r I have not been able to get any ffresh Water nor Wood on Board for six Weeks, last past but ffirst to spend on our sea Store, twas well we had it on board before the weather Came on, the weather Continues very sharpe still but I will slip no oportu- nity to get my Water fild, I understand most of the Maryland Ships are very backward in their Loading, I supose Occasion'd by the unseasonable Weather and as farr as I can learn, tis morally impossible that any of the Ships in this Province can be Loaden ready to Sail by yo^r time Ordered Except about ffive Sail, Viz^t Cap^t Smith Yoakly Brains, Sinues Marshall; His Ex^{cy} and I have sent to all parts of this Province to Communicate your Resolutions to all Concernd; I understand the Comanders Design to Suplicate for Longer time if you alter your former Resolutions pray give me timely Notice; as soon as I can possibly get my ground tier fild with ffresh Water to stiffen my Ship I will Sail to the mouth of Petuxant to take what Ships shall be ready to Sail with me according to yo^r Ord^r. The Comand^r and merch^{ts} are much concern'd at your Resolutions Considering the winter hath been soe Severe in these parts, Some of the ffreighters think that Severall Com- manders of Ships that are not loaden According to Charter parts will protest and goe dead ffreight I pray God Direct you for the best so I remain
 ffrom on Board his Ma^{ty} hired Ship Prince of Orange the 4th of february 1696/7
 S^r Yo^r humble Servant
 Josiah Daniell

Postscript.

It is very hazardous for any Ship to be in the Bay yet for the great quantity of Ice and God knows when twill be other- wise but I hope it will not last much Longer pray give my Service to all ffriends &^{ca}.

Copia

J. Daniell

The Como-
 dores L^{re} to
 his Ex^{cy} abt
 his prolonging
 the time of
 Sayling

S^r

I Yesterday recd: yo^r Ex^{cy}s L^{re} of the 3^d instant with the other paper I am very sorry to hear the winter has been so hard, it has not been so here, but I find both by Cap^t Daniells Letter and all the Mast^{rs} that the like is not Vsual; our Longer Stay will Occa-

sion more difficulty to Us then anything has happened yet, Lib. H. D.
by reason we shall all want Provision, Nevertheless that none P. 39
may have Occasion to find fault I will prolong the time as
farr as possible, and if I can stay till the first of Aprill before
I sail from Kicquatan (where I purpose to make up the fleet)
I will, but I believe we shall find Provision Difficult to be got
here I hope to see your Ex^{cy} before I saile that I may Return
thanks for all yo^r ffavours in the mean time rest yo^r Ex^{cy}s most
Obliged

Greenwich in York River

Humble Servant

Cha: Wager

ffeb^y the 16th 1696/7.

I believe a Vessell will be dispatcht away from hence that
the Reasons of our Stay may be known I shall send up a Boat
in few days which shall give yo^r Ex^{cy} a further Acco^t of that.

On his ma^{ty} Service

To his Ex^{cy} Coll: ffancis Nicholson

Cap^t Gen^l & Govern^r of Maryland.

these

The Com-
dore L^{re} to
the Severall
Mastrs of Ships
abt longer
time of Sayling.

Whereas I am Inform'd by Severall Letters
from Maryland that the Winter has been so hard
that it has been impossible for Ships, to Load, and
that they cannot be ready to sail by the first of
March. I do hereby Give Notice that notwithstand-
ing any former Ord^r I will prolong the time of Sayling as much
as possible; believing it for his Ma^{ty} Service as well as the bene-
fit of Trade that no Ship may lose the benefit of this p^rsent
Convoy; to which purpose I have Ordered Cap^t Daniell to
Continue in Maryland till the 25th of March by which time I
hope all Ships there will be ready to Sail with him to Joyne
the rest of the fleet, at Kicquatan; ffrom which place I do
purpose to sail God willing the first day of Aprill next.

Dated on Board his Ma^{ty} Ship

Cha: Wager

the Greenwich in York River

ffeb^y the 16th 1696/7.

Directed as followes, Viz^t

On his Ma^{ty} Service.

To the Com^{and}ers of the Severall Merch^t Ships in the Sev-
erall Rivers of Maryland.

S^r

Com^{rs} of the
Customs L^{re} to
his Ex^{cy} abt
the Ship
Alexand^r of
Greenoake

Having Notice from our Agent in Scotland
That the Ship Alexand^r of Greenoake Rob^t
Johnson or Stuart master lately came directly
thither with a Lading of Tobacco from Petuxant
River in Maryland We desire you will please to
make Strict inquiry whether Bond was duly given before her

Lib. H. D. Clearing And if so to prosecute the Same on the forfeiture
 P. 40 thereof, otherwise it must rest as a Charge upon M^r Plater the
 Collecto^r there for Suffering her to Lade without Security in
 which Case We desire you to take his Answer in writing and
 Transmit the Same to Us, with your Opinion We are
 Custom House London S^r Yo^r very humble Servants
 15 October 1696. Walter Yonge
 Rob^t Southwell
 Ja: Chadwicke
 Ben: Overton

Gov^r of Maryland.

Com^{rs} of the S^r
 Customs L^{re} Having Notice from our Agent in Scotland
 to his Ex^{cy} That a Briganteen called the May flower Burthen
 abt two abt 50 tons James Scott Master lately arrived
 Vessells May flower & James there with Tobacco and Cotton from Maryland
 &ca And that a Vessell called the James Burthen about 170
 Tons John Kyte Master was ready to Sail from thence to
 Maryland—We desire you will please to Enquire how and
 by what means the s^d Briganteen Came to Clear And what
 Security was taken for her going to some Port of England
 Causing the Bond (if any) to be Vigorously prosecuted of
 which in due time we shall expect an Acco^t from you.

And we likewise desire you to Cause the other Vessell to
 be seized and prosecuted with the prohibited Goods on Board
 at her Arrivall in Maryland We are

Custom House London S^r Yo^r very humble Servants
 31 October 1696. Sam: Clarke
 Rob^t Clayton
 Rob^t Southwell
 Gov^r Maryland Ben: Overton

An Acco^t of the Arms &^{ca} brought in and in Good Ord^r
 lodged at the House of Maj^r Dorsey within the Port of
 Annapolis, the 18th day of September Anno Domini 1696.

Viz^t

Armes lodged Six brass Trumpets—20: Dragoon Sadles &
 at Maj^r Dorseys bridles with Caps for the Carabines—Six Dragoon
 House &ca Drums & Sticks & 12: pair of heads and 3: sets of
 Snares—200 Pistolls with Round locks, Varnisht Stock and
 brass Caps—Six brass powder Tryars and 2 fflags; 1 great &
 the other Small—100 Carabines with round locks & Varnisht
 Stocks 100 Carabine belts and swivells—80: Byonets & 80
 white belts 80: Cartouch boxes & 80 black belts—20: Granado
 punches—25: Pick Axes—25 Mattocks—50 set of wheele

barrow Irons—4: bundles Canvas & Cords—4: dozen Steele Lib. H. D.
Spades—4: dozen Shovells 20: Runlets containing 20: Musket
bullets—20: Ditto containing 20: Carabine Bullets—20: Ditto
q^t 20: Pistoll Bullets—10: hand mortars—200 hand Granado
Shells

	lb	s.	d.
600: ffusees—Six Lanthorns at 10 ^s a peice	03:	00:	9
Six brass Cumpasses—at 2 ^s 10 ^d a peice	00:	17:	0
Six horse pickers, at a peice			
18000 fflints at 20 ^s a thousand	18:	00:	0
Six perspective glasses at 4 ^s a peice	00:	18:	0
	22:	15:	00

Mem: That the things contain'd in the 5: last articles were
purchas'd by his Ex^{cy} &^{ca}

An Acco^t of the Armes &^{ca} purchased out of the Quarter
part of the Revenue being Divided and apportion'd, is as p. 41
followes, Viz^t

10: hand mortars—1: to Each County on the Western Shore
and 1: to each County on the Eastern Shore except Kent.
20: Granado pouches—2: of each Sort to the s^d County's.
200: Granado Shells—20: a peice to Each of the s^d County's.
600: ffusees—60: a peice to Each of the s^d Counties.

Memorandum that Care for the future be taken to have
the ffusees fited in the Countrey:

6: Brass Lanthorns, Six Cumpasses, Six horse pickers and
Six perspective Glasses, Six Drums, Six trumpits, & Six
powder Provers, one of each sort of the s^d things to be sent,
to Prince Georges, Ann Arrundell, & Baltemore Counties on
the western Shore, & one of Each Sort to Cecill, Talbott &
Somerset Counties on the Eastern Shore, 12: Pair of Drum
heads—2 pair to be sent to Each of the s^d Counties.

20: Saddles and Bridles &^{ca} 20 pair of Pistolls, 20: Byonets
& belts, 20 Carabines & belts, & 20: Cartouch boxes, to be
Set a Side for the Rangers.

80: pair of Pistolls Remaining—10: pair whereof to be kept
in Ann Arrundell County—& seven pair a peice to be sent to
Each of the other County's.

80: Carabines and belts remaining—10: whereof to be kept
in Ann Arrundell County and Seven a peice to be sent to
Each of the other Counties.

60: Cartouch boxes & belts, remaining, 10: whereof to be
kept in Ann Arrundell County & 5: a peice to be sent to
Each of the other County's.

60: Byonets & belts—10: whereof to be kept in Ann
Arrundell County and 5: to be Sent to Each of the other
County's.

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Lib. H. D. 25: pick axes 5 whereof to be kept in Ann Arrundell County & 2: a peice to be Sent to Each of the other Countys.
25. Mattocks 5: whereof to be kept in Ann Arrundell County and 2 a peice to be Sent to Each of the other Counties.

50: wheelbarrow Irons—10: whereof to be kept in Ann Arrundell County and 4: a peice to be sent to Each of the other Counties.

48: Steele Spades—8: whereof to be kept in Ann Arrundell County and 4 a peice to be sent to Each of the other Counties.

48: Shovells—8: whereof to be kept in Ann Arrundell County and 4: a peice to be sent to Each of the other Counties.

60: Barrells of Shott Viz^t 20: of Musket—20: of Carabine—and 20: of Pistoll Bullets.—2: of Each Sort to every County, except Kent.

38000: flints—3460: to be sent to to Each of the Counties.

Ordered that all the foregoing Armes &^{ca} be lodged with the Colonell of each respective County to which they are sent and that those armes &^{ca} w^{ch} are kept for Ann Arrundell County be lodged within the Port of Annapolis None whereof are to be medled with or made Vse off, upon any occasion whatsoever, unless in Case of invasion or insurrection, which God fforbid.

Kent County, if in Want, of any of the foregoing things they have not, being so nigh to this, place, may be Supplied from hence.

p. 42 This Board have thought Convenient that the s^d Arms &^{ca} be divided and dispersed as afore Expressed, by reason his Ma^{ty} has no ffortification here and therefore think this way will Conduce most to his Ma^{ty} Service.

Hen: Denton Cl. Council.

Proposed what way shall be found for the Safe Conveying the s^d Armes &^{ca} to the Severall Counties, Supposing convenient Opportunity's may now Offer by some of the members of the House or Suito^{rs} of the Prov^l Court.

p Ord^r Hen: Denton Cl. Council.

By the House of Burgesses September 30th 1696.

Ord^r abt the
Severall Coun-
tys sending for
their Arms.

The within Division of Arms &c: Assented to,
And as to the Conveying them to the Severall
Counties Ordered that the Severall Counties take
Care to Send for the same.

Signed p Ord^r W Bladen Cl Ass^{bl}

September the 30th 1696.

Lib. H. D.

Ord^r abt the
delivery of the
Arms &^{ca} Assented to by his Ex^{ncy} & his Ma^{ty} hon^{ble}
Council & Ordered th^t the s^d Arms &^{ca} be sent
away by the Oportunity of the Severall Boats
now in this Harbour, and th^t Maj^r Edward Dorsey deliver
out the s^d Arms &^{ca} pursuant to the afores^d Division & take
receipt for the same accordingly.

Signed p Ord^r Hen: Denton Cl Council.

At the Port of Annapolis, Octo. 8th 1696.

Then rēcd: from Maj^r Edward Dorsey these following
Armes &^{ca} together with an Ord^r of Council, Dated the 30th
of Septemb. last past directing that none of the s^d things
should be made use off, unless in Case of invasion or insur-
rection, which God fforbid.

The Acco^t follows Viz^t

One hand mortar, 2 Granado pouches, 20: Granado Shells,
Sixty fusees, 1: brass Lanthorn. 1 brass pocket Cumpass 1:
horse picker, 1 perspective glass. 1: Drum, 1: Trumpit, 1:
powder prover, 2: pair of Drum heads, 7: Cases of Pistolls, 7:
Carabines and belts, 5: Cartouch boxes & belts. 5: Byonets
and belts. 2: Pick axes. 2: Mattocks 4: wheel barrow Irons.
4: Steele Spades, 4: Shovells, 2: barrells Musket bullets, 2:
ditto, Crabine bullets, 2: Ditto pistoll bullets & 3460: ffints,
each of us Seperately of all the foregoing things a peice, to and
for the Vse of the Counties to which we belong, as Witness
our hands the day & year aboves^d.

David Browne

Casp A: Herman

John Thomas Coll Bal. County.

W^m Aldern

Recd. The above Armes &^{ca} to be delivered to Coll p. 43
Robotham at W^m Stadt the which I promise to Secure for
him untill he takes them away.

W^m Aldern

Jan^y the 21th 1696.

Then rēcd of M^r Henry Denton 60 fusees to be delivered
to M^r Aldern that hath the Rest of the Arms for Talbot
County I say Rēcd by me.

Thomas Collier


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Lib. H. D.

Oct^o. the 23^d 1696.

Then Rēcd: all the aforementioned Arms &^{ca} together with an Ord^r of Councill with a Copy of the afores^d Armes indorsed directed for the hon^{ble} John Addison Esq Colonel of Prince Georges County and Ordered to be left for him at M^r Masons House near S^t Maries City the which I do hereby Oblige my Self to deliver accordingly, the danger of the Seas excepted as witness my hand the day and year aboves^d

Witness Rich^d Kilburne

his
John  Boomer
mark

Decem. the 8th 1696.

Rēcd of Henry Denton the within mention'd sixty ffusees for Somerset County ready fitted, the which I do promise to deliver unto the hon^{ble} Col^l. David Brown as Witness my hand the day and year aboves^d.

John M^r Chestor

60 ffusees sent up by M^r Manthrop in Col^l: Hermans Sloop in Ord^r to be deliver'd to the Colonel.

Hen: Denton Cl. Concil.

March the 21th 1696/7.

Then Rēcd: of Henry Denton Cl. of the Councill, thirty nine ffuzes, the which I do hereby promise to deliver to Col^l: Thomas of Baltemore County, I say Rēcd by me.

Thomas Dadd

At the Port of Annapolis, Octo. the 8th 1696.

Then Recd: from Maj^r Edward Dorsey these following armes &^{ca} together with an Ord^r of Councill Dated the 30th of Septemb^r last past, directing that none of the s^d things should be made Vse off, Unless in case of invasion or insurrection which God fforbid.

The Acco^t follows, Viz^t

One hand mortar, 2: Granado pouches, 20: Granado Shells, Sixty ffusees, Seven Cases of pistolls, Seven Carabins & belts, ffive Cartouch boxes & belts, ffive Byonets and belts, two pick Axes, Two Mattocks, ffour wheel barrow Irons, ffour Steele Spades, ffour Shovells, two barrells of Musket bullets,

two Ditto Carabine bullets, two ditto pistoll bullets and three thousand ffour hundred & Sixty fflints, each of Us Seperately of all the foregoing things a peice, to and for the Vse of the County's to which we belong ; as Witness our hands the day and year aboves^d. Lib. H. D.
Chas: Hutchins

Octob. the 9th 1696.

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Then Rēcd: for Kent County the full proportion of all the above mentioned Armes &^{ca} except the hand mortar, Granado pouches, Granado Shells, ffusees and bullets, whereof none of the s^d things were appointed for the s^d County ; I say Rēcd: by me John Hynson

Octo. the 23^d 1696.

Then Rēcd: 3: dividents or parcells containing all the afore-mencōnd Arms &^{ca} together with 3: Orders of Councill with a copy of the afores^d Arms, thereon Severally indorsed one whereof was directed to the Hon^{ble} Henry Jowles Esq Colonel of St Maries County to be left for him at M^r Platers House at the Mouth of Petuxant River, another parcell directed to be deliver'd unto Coll: Henry Mitchell at his House upon the Lower End of the Clifts & the other parcell directed to the Hon^{ble} John Courts Esq Colonel of Charles County to be left for him at M^r Robert Masons House aforemention'd all which I do hereby Oblige my Self to deliver accordingly, the danger of the Seas Excepted as witness my hand the day and year aboves^d his

Witness Rich^d: Kilburne

John |—|—| Boomer
Mark

An Acco^t of the Severall Parishes within this Province (according as they were by Act Laid out) together with the Bounds of the same the Names of the Vestrymen and Number of Tithables within Each Parish. Viz^t

St. Maries County is divided into two Parishes between New Town hundred and Clements hundred by M^r Langworths branch which leads to Petuxants main road and the s^d branch divides the s^d hundreds & parishes and Parishes hereafter Named that is to say the Lower called by the Name of W^m and Mary Parish and the Upper by the Name of King & Queen Parish.

Vestrymen for W^m & Mary Parish chosen &^{ca} Viz^t

M ^r Kenelm Cheseldyne	}	M ^r John Watson	}	Taxables. 457
Maj ^r John Campbell		M ^r John LLeuellin		A ^o 96. Ret:
M ^r Rob ^t Mason		M ^r Thomas Beale		to be. 532.

Lib. H. D. Vestrymen for King & Queen Parish chosen &^{ca} Viz^t
 Coll: Nehemiah Blackiston } Cap^t John Dent }
 Cap^t John Cood } M^r Philip Brisco } Taxables. 473.
 M^r Rich^d Clouds } M^r Jn^o Barecraft }

Calvert County is divided into ffour Parishes Viz^t Christ Church, All Saints, S^t Pauls, and All ffaiths.
 Christs Church Parish Consists of these following Hundreds, Viz^t Hunting Creek, Leonards Creek, Eltonhead, & lower hundred of the Clifts.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t
 M^r Rich^d Smith } M^r ffrancis Mauldin }
 Cap^t Tho: Clegate } M^r John Manning } Taxables. 537.
 M^r Henry ffrinley } M^r Sam^l Holdsworth }

All Saints Parish Consists of these two following Hundreds Viz^t Lyons Creek, and the Upper hundred of the Clifts.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t
 M Walter Smith } M^r John Scott }
 M^r W^m Nichols } M^r John Leech jun^r } Taxables 507.
 M^r W^m Turner } M^r John Hance }

S^t Pauls Parish Consists of the following Bounds, Viz^t from the Upper part of Mount Calvert hundred to the main branch of Swansons Creek.

P. 47 Vestrymen for the s^d Parish chosen &^{ca} Viz^t
 M^r Thomas Brooks } M^r Rich^d Charlet }
 M^r Thomas Greenfield } M^r W^m Barton } Taxables. 500.
 M^r Thomas Hollyday } M^r Sam^l Magruther }

All ffaiths Parish Consists of the following Bounds, Viz^t from the main branch of Swansons Creek to the Lower part of Harvy Hundred.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t
 M^r James Keech } M^r John Gillam }
 M^r John Smith } M^r Charles Askue } Taxables 278.
 M^r Rich^d Southern } Cap^t Rich^d Gardner }

Charles County is divided in four Parishes Viz^t W^m & Mary, Port Tobacco, Nanjemy, & Piscattoway.

The Bounds whereof being Artificiall and Some what Long Lib. H. D.
have Omitted to insert them here.

Viz^t Vestrymen for W^m & Mary Parish chosen &^{ca}

Coll: John Courts	}	M ^r Henry Hardy	}	Taxables 256.
M ^r Robert Yates		M ^r John Wielder		A ^o 96:—258.
M ^r W ^m Hawton		M ^r W ^m Harbert		

Vestrymen for Port Tobacco parish chosen &^{ca} Viz^t

M ^r Henry Hawkins	}	M ^r C. Lomax	}	Taxables 346.
M ^r W ^m Barton		M ^r John Hawkins		A ^o 96. 298.
M ^r Phi: Hoskins		M ^r John Hanson		

Vestrymen for Nanjemy Parish chosen &^{ca} Viz^t

M ^r John Stone	}	M ^r W ^m Stone	}	Taxables 173.
M ^r Joseph Maning		M ^r Rich ^d Harrison		A ^o 96. 175.
M ^r W ^m Dent		M ^r Gerrard fflowke		

Vestrymen for Piscattaway Parish chosen &^{ca} Viz^t

John Addison Esq	}	M ^r W ^m Tanneyhill	}	Taxables.
M ^r W ^m Hatton		M ^r John Emmet		
M ^r W ^m Hutchinson		M ^r James Stoddart		

Ann Arrundell County is Divided into ffour Parishes Viz^t
Herring Creek. South River. Middle Neck & Broad Neck.
Herring Creek Parish Consists of herring Creek Hundred
and the Major part of west River Hundred.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

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Thomas Tench Esq	}	Cap ^t Robert Lockwood	}	Taxables 507.
M ^r Seth Biggs		M ^r James Rigbey		
Cap ^t W ^m Holland		M ^r Nich ^o Perret		

South River Parish consists of South River Hundred and
a Small part of West River Hundred.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

Cap ^t Hen: Hanslope	}	M ^r Edw ^d Burgess	}	Taxables 460.
M ^r John Gresham		M ^r Walter Phelps		
M ^r W ^m Roper		M ^r John Watkins		

Middle Neck Parish is Scituated betwixt South River and
Severn River,

Lib. H. D.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

M ^r Thomas Bland	}	M ^r Jacob Harness	}	Taxables. 374.
M ^r Rich ^d Wharfield		M ^r W ^m Brown		
M ^r Laurence Draper		M ^r Corne. Howard		

Broad Neck Parish is Scituated on the North Side of Severn River including Town Neck & Broad Neck hundreds.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

M ^r John Bennet	}	M ^r George Eager	}	Taxables. 223.
M ^r W ^m Hopkins		M ^r Hugh Merrican		
M ^r Robert Eagle		M ^r Edw: fuller		

Baltimore County the Division of the Parishes and Bounds thereof have not as yet been Return'd by the Clerk of the s^d County. but do find by the Returns of the Severall Vestrymen that the s^d County is divided into three parishes, Viz^t Patapsco S^t Johns & S^t Georges.

Vestrymen for Patapsco Parish as by Return, Viz^t

M ^r John fferry	}	M ^r Rich ^d Samson	}	Taxables 218.
M ^r W ^m Wilkinson		M ^r John Hayes		
M ^r Rich ^d Crumwell		M ^r Nich ^o Corbain		

Vestrymen for S^t Johns Parish as by Return. Viz^t

M ^r Thomas Staley	}	M ^r Sam ^l Siclemore	}	Taxables 128.
Cap ^t Tho: Preston		M ^r Dan ^l Scott		
M ^r Rich ^d Adams		M ^r Abram Tayler		

Vestrymen for S^t Georges Parish as by Return, Viz^t

M ^r W ^m Hollace	}	M ^r George Smith	}	Taxables. 137.
M ^r Laurence Tayler		M ^r Roger Mathews		
M ^r John Parker		M ^r Thomas Cordey		

P. 49 Cœcill County is divided into two Parishes, Viz^t South Sassafrax and North Sassafrax.

The Bounds of South Sassafrax Consists of these following Hundreds, Viz^t Worton and South Sassafrax Hundred.

Vestrymen for the s^d Parish as by Return, Viz^t

Coll: W ^m Peirce	}	M ^r W ^m Elins	}	Taxables 350.
M ^r W ^m Harris		M ^r Geo: Sturton		
M ^r Edw ^d Blay		M ^r Edw ^d Scidmer		

North Sassafrax Consists of Bohoemia & Elk hundreds. Lth. H. D.

Vestrymen for the s^d Parish, as by Return, Viz^t

Coll: Caspa ^a Herman	}	M ^r Henry Rigg	}	Taxables 321.
Maj ^r John Thompson		M ^r Mathias Vanderhaden		
M ^r W ^m Ward		M ^r Henry Jones		

Kent County is divided into two Parishes Viz^t Kent Island
& S^t Pauls Parish

Kent Island Parish is bounded Natureally within it Self.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

M ^r John Coppage	}	M ^r Alexander Walkers	}	Taxables 146.
Coll: W ^m Laurence		M ^r Edward James		
M ^r Philip Conner		M ^r Valintine Southern		

S^t Pauls Parish Consists of the Rest of the County.

Vestrymen for the s^d Parrish chosen &^{ca} Viz^t

M ^r W ^m ffrisby	}	M ^r Charles Tilden	}	Taxables 321. A ^o 96.— 534
M ^r Micha ^l Miller		M ^r Thomas Smith		
M ^r Hans Hanson		M ^r Sim ^a Wilmore		

Talbot County is divided into three Parishes Viz^t S^t Pauls
S^t Peters and S^t Michaelles Parish.

S^t Pauls Parish begins at the head of Chester River &
Extends to the Court House, and from the Court House along
the North side of Brewers branch to the Head of the s^d branch
and from thence to Judwins branch being the North part of
Tuccohoe.

Vestrymen for the s^d parish chosen &^{ca} Viz^t

Maj ^r W ^m ffinney	}	M ^r Nath ^l Wright	}	Taxables—606.
M ^r W ^m Coursey		M ^r Rob ^t Macklin		
M ^r John Whittington		M ^r John Chairs		

S^t Peters Parish begins at John Judwins branch and Extends p. 50
to Oxford Town.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

M ^r Thomas Robins	}	M ^r Nich ^o Lowe	}	Taxables 453.
M ^r Thomas Bowdle		M ^r Sam ^l Abbet Sen ^r		
M ^r George Robins		M ^r Thomas Martin		

Lib. H. D. St Michaelles Parish Consists of Mill & Bay Hundreds and part of Island Hundred that is to say from the Court House Downward.

Vestrymen for the s^d Parish chosen &^{ca} Viz^t

Cap ^t John Davis	}	M ^r Michael Turbut	}	Taxables 485.
Cap ^t James Murphey		M ^r Hugh Sherwood		
M ^r Thomas Smithson		M ^r John Power		

Dorchester County is divided into two Parishes Viz^t Great Choptanck and Dorchester Parish.

The Bounds whereof being Artificiall and some what Long I have not here inserted, But are Entred among the Council proceedings had and taken in S^r Edm^d Andros's time being then Return'd but no Acco^t of the Vestrymen was therein. Yet do find by a Return of the Vestry of great Choptanck parish, the s^d Return being Subscribed thus. Viz^t

Phil V: Pitt	}	John Person	}	Taxables 407.
Obadiah King				
Edw ^d Stephens		John Lecompt		

Vestrymen for Dorchester parish as by Return Viz^t

M ^r Arthur Witley	}	M ^r Thomas Vickers	}	Taxables 221:
M ^r W ^m Robison		M ^r James Moadsly		
M ^r John Button		M ^r W ^m Shinton		

Somerset County is divided into ffour Parishes Viz^t Somerset, Coventrey, Stepney, Snow hill.

Somerset Parish Consists of Manokin, and Many hundreds.

Vestrymen for the s^d Parish as by Return, Viz^t

M ^r John Huett	}	M ^r Nath: Horsey	}	Taxables 304.
M ^r Rich ^d Chambers		M ^r Miles Grey		
M ^r John Panter		M ^r Peter Elzey		

Coventry Parish Consists of Pocomoke and Annamessix hundreds.

p. 51 Vestrymen for the s^d Parish as by Return Viz^t

M ^r ffancis Jenckins	}	M ^r W ^m Planer Sen ^r	}	Taxables 414 Anno 96: 369
M ^r George Layfield		M ^r Thomas Dixon		
M ^r Thomas Nuball		M ^r W ^m Coleburn		

Stepney Parish Consists of Wiccocomoco and Nantecoke Lib. H. D. Hundreds.

Vestrymen for the s^d Parish as by Return Viz^t

M^r John Huett Clergym^a

M ^r Jam: Weatherley	}	M ^r Robert Collyer	}	Taxables	381
M ^r John Bounds		M ^r Thomas Holebrooke		A ^o 96.	362.
M ^r Philip Carter		M ^r Philip Askue			

Snow hill Parish Consists of Bogettenorton & Mattapany Hundreds. Vestrymen for the s^d Parish as by Return Viz^t

M ^r Matt: Scarborough	}	M ^r Thomas Pointer	}	Taxables	353.
M ^r W ^m Round		M ^r Thomas Selbey			
M ^r John ffrancklin		M ^r Edward Hamond			

An Acco^t of the Hundreds in the Severall Counties of the Province Viz^t

Calvert County is divided into Six Hundreds Viz^t

Lyons Creeke	}	Hundreds.
Lower End of the Clifts		
Upper End of the Clifts		
Hunting Creek		
Leonards Creek		
Elton Head		

Prince Georges County is divided into Six Hundreds Viz^t

Mattapany	}	Hundreds.
Petuxant		
Collington		
Mount Calvert		
Piscattoway		
New Scotland		

S^t Maries County is divided into Ten Hundreds besides the City, Viz^t

Resurrection	}	Poplar Hill	}
S ^t Maries		S ^t Maries City	
New Town		}	Hundreds.
Choptico			
S ^t Michaelles			
S ^t Georges			
S ^t Inego's			
S ^t Clements			
Harvy			

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Lib. H. D. Cæcill County is divided into Two Hundreds. Viz^t

P. 52
 South Sassafrax }
 North Sassafrax } Hundreds.

Dorchester County is divided into five Hundreds. Viz^t

Hermitage }
 Great Choptanck }
 ffishing Creek } Hundreds.
 Nantecoke }
 Little Choptanck }

Talbot County is divided into nine Hundreds. Viz^t

Tredhaven	}	Island	}	Hund ^{ds}
Bullinbroake		Lower hund ^d of Kent Island		
Mill		Chester		
Tuckohoe		}	Hund ^{ds}	
Worrell				
Bay				

Baltimore County is divided into five Hundreds Viz^t

Speceutia }
 N: Side of Patapsco }
 Gun Powder River } Hundreds.
 S: Side of Gun Powder }
 S: side of Patapsco }

Charles County is divided into Seven Hundreds Viz^t

Lower part of W^m & Mary Parish }
 Upper part Ditto }
 East side of Portobacco }
 West Side of Ditto } Hundreds.
 Lower part of Nanjemy parish }
 Upper part of Ditto }
 Upper part of King & 2: parish }

Bennedict Town, being Joyned to part of K: & 2: parish.

Somerset County is divided into Eight Hundreds Viz^t

Poquede Norton	Annamessix	}	Hundreds.
Mattapany	Monakin		
Manny	Wiccocomoco		
Pocomoke	Nantecoke		

Ann Arrundell County is divided into Six Hundreds Viz^t Lib. H. D.

Town Neck	}	Hundreds.
Middle Neck		
Broad Neck		
South River		
West River		
Herring Creek		

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Kent County is divided into Seven Hundreds Viz^t

Town Hundred	}	Hundreds.
Lower Hun ^d of Chester River		
Lower Hun ^d of Langfords Bay		
Swann Creek		
Island hund ^d		
Eastern Neck		
Chester Upper hund ^d		

Lords of the
Councill for
Trade &ca Lre
to his Ex^{cy}
touching
Severalls. . .

S^r

We herewith all send you a Duplicate of our former Letter Dated the 25th of September last: Since w^{ch} time not having Rēcd: any thing from you, We shall in the first place confirm what we then advised you, Viz^t That the Design of Setling Admiralty Courts in all his Ma^{ty} Plantacōns (Proprieties as well as others) is still Carryed on, and we doubt not but will be shortly effected: By w^{ch} means we Suppose the Occasion th^t you formerly mentioned for an Exchequer Court, & for attaining of Juries will not only be taken away in the Province of Maryland but a great Check given to the Progress of illegal Trade in other places.

In the next place, we are to acquaint you that three Ministers M^r Rich^d Sewell, M^r Thomas Cockshut, and M^r Stephen Bordley having been appointed by the Lord Bishop of London for the Province of Maryland, but not having had the Accustomed allowance of 20^{lb} a peice towards the defraying of their charges, out of his Ma^{ty} Treasury here his ma^{ty} has been pleased to direct Us to write to you that the s^d sum of 20^{lb} a peice be paid to Each of them, after their Arrivall there, out of such money as may be Spared from the other Vses of the Governm^t

But now we must go on to acquaint you with other things of publick Concernment, w^{ch} are Comōn to that with other Colonies and Plantations—His Ma^{ty} has been pleased, upon Complaints th^t have been laid before him of the irregular conduct of Some of the Comānders of his Ships of Warr

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Lib. H. D. in the Plantations to Order Expressly that all the Comānders of his Ships that are Sent to any of his Plantacōns for the Defence and Service thereof; be under the direction of the Governⁿ of each of those respective Plantations during their Continuance there: And further that when any Cap^t or Comānder of any of his Ships, in any of the s^d Plantations shall have Occasion for Seamen to serve on Board the Ships under their Comānd, they make their Application to the Governⁿ or Comānders in Cheif of his maⁿ Plantations respectively; To whom as Vice Admiralls his Ma^y is pleased to Commit the Sole Power of impressing Seamen in any of his Plantations in America, or in Sight of any of them: Such Governⁿ or Comānders in Cheif being at the Same time required upon such application to take Care that his maⁿ s^d Ships of Warr be furnished with the Number of Seamen that may be Necessary for his Maⁿ Service, on board the s^d Ships from time to time.

Upon Complaints also that have been laid before his Ma^y of the dispeopleing of Severall of his Colonies Occasioned by the Over kind reception th^t has been given in Others to Deserters and ffugitives, His Ma^y being Sensible how much th^t Practice is Contrary to the Interest of the whole has Comānded us to write to his Severall Governⁿ in all his Colonies and Provinces in America, that they take Care in each of their respective Governmⁿ that effectuall Laws be made against the Receiving & harbouring not only of Deserters but also of such ffugitives as leave any of his Plantations contrary to the Laws provided for th^t Purpose in each Plantacōn respectively: Which Order we have already communicated to Some, and are Continuing to do it to others as opportunity Offers: And you are therefore likewise in the Same manner required to Serve it. And whereas further Complaints have been made to his Ma^y from Severall places (especially from Jamaica) that the great Temptation to Piracy by the entertainm^t given to Pyrates in some places, has been another means of Seducing their Inhabitants from them; And his Ma^y being highly sensible how much such practices tend to the dishon^r of the English Name and Nation (thō we have not any thing before us imputed particularly to Maryland) We are Obliged nevertheless to acquaint you with his Maⁿ Generall Orders upon th^t Occasion

p. 92 Which are th^t we should strictly require the respective Governⁿ of all his Plantations to be very Carefull that no Pyrates or Sea Robbers be any where Sheltered or Entertain'd under the Severest penalties; And w^{ch} we therefore accordingly require yo^r observation.

There is another generall head also, upon which we are to Signifye to you his Maⁿ pleasure, And that is the observation

of the Quota appointed by her late Ma^{ty} of Blessed memory for the Defence of the ffrontiers of New York; which Regulation having been very unequally comply'd with (and by Maryland but in Some Small measure) his Ma^{ty} does Expect that all th^t are comprehended therein should punctually contribute their respective proportions either in Men or Money, from time to time, as occasion asks; Which we are accordingly obliged to require of you as others.

Some Acts past in the Generall Assembly, and other Publick papers of that Province (amongst w^{ch} is the Address relating to Collonel Copleys Estate) lye yet under Consideracō; and you shall in due time be acquainted what is done thereupon so we bid you very heartily ffarewell.

Whitehall

Yo^r Loving ffriends

fFebruary the 4th 1696/7

W^m Blathwayt

J. Bridgewater

Abr Hill

Tankerville

John Pollexfen

Ph: Meadows

At a Councill met and held at the Port of Annapolis (according to Speciall appointm^t) the 18th day of ffeb^{ry} in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca}

Annoq Domini 1696/7

Present,

His Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

S^r Thomas Laurence Baron^t Secry^r }

Coll: Nich^o Greenberry.

His Ex^{cy}s
Comunicacōn
with Cap^t
Daniell abt
the inconveni-
ences of the
Masters of
Ships &^{ca}

His Ex^{cy} is pleased to Ord^r that Cap^t Josiah Daniell Comāder of his ma^{ty} hired Ship the Prince of Orange be called in who accordingly appears. He is asked to give an Acco^t to the best of his knowledge what sort of inconveniences the Masters of Ships have Layn under here, during this winter Season and what weather it has generally been for the Saylers working whereby the masters might be Enabled to get their Loadings ready to which Cap^t Dan^l makes Answer that he has kept a Journall of every days weather since his being here the which he is Ready to produce and does Say that he gave an Acco^t to the Comōdore of the great obstruction the masters have met with through the Extream severity of the Winter season and believes that if they had not met with such Extraordinary Sharpe weather they might most of them have been ready by this time.

Lib. H. D. Severall masters of Ships, Merch^{ts} and Traders attending
Came & were admitted, Viz^t

Cap ^t Dan ^l Bradley	}	M ^r Hen: Robinson
Cap ^t Dean Cock		M ^r W ^m Scott
Cap ^t Barth ^o Whithorn		Col ^l : Hen: Darnall
Cap ^t Owen Phillips		Maj ^r John Hamond
Cap ^t Jerem ^h . Deeble		M ^r Charles Carroll
Cap ^t James Brains		M ^r Orlando Greenslade
Cap ^t Thomas Lurting		M ^r Thomas Hastwell
Cap ^t Thomas Wills		Maj ^r Edward Dorsey
Cap ^t Josiah Clifton		M ^r Sam ^l Chew

His Ex^{cy}
Communicac^on
with the
Masters of
Ships abt their
Sayling &^{ca}

The Masters are asked by his Ex^{cy} whether they were ready to Saile with Cap^t Daniell pursuant to the Com^odore's Letter which it is supposed they have all seen who doe say that they have all seen the Letter and that they cannot be ready to sail with the s^d Cap^t Daniell by the time prefixt him
p. 455 by the Com^odore, thereupon his Ex^{cy} is pleased to ask them the Reason why they are not ready who all of them do say that if it had not been for the ffrost Snow and Extream bad weather they should most or all of them have been ready by this time and withall do affirm that since the Receipt of the Com^odore's Letter (which was the ffirst of this Instant ffebruary) there has been no weather, fit for rowling Tob^o or doing any manner of Work the which Cap^t Daniell does likewise avouch and Affirm. His Ex^{cy} is pleased to put the Question to the Ancient Livers in the Countrey (now p^rsent) whether they had Ever known so severe a Winter to hold so long for the time as this has done and so much Snow to fall & Remain on the Earth so long together in this Countrey who do say as also the Master that have Used the Countrey these many Years th^t they have never seen the like as to the Constancy of bad weather adding that some of them have had their Sloopes and Shallops out upon ffetching Tob^o for 10: 12 & 14: weeks together which could not Return by Reason of the ffrost and that Severall of their men have in their remaining out been great Sufferers & ffrost bitten and some have lost their Sloopes and Shallops &^{ca}

Cap^t Daniell is asked if he has anything to propose or Offer to the Masters who does Say that he has nothing to Offer or propose Save to know of them what time they think they may be ready to Sail who doe Say that they don't question but that all of them may be ready to Sail and be down with the Com^odore by the middle of Aprill but don't see how they can be ready sooner.

His Ex^{cy} is pleased to ask the Severall Masters in Generall

if they have met with any obstruction in their Loading; Lib. H. D. through means of any Neglect of any People of the Countrey and whether there be any thing wherein this Governm^t can be assistant to them in forwarding their dispatch and that Ord^r should be given accordingly; Saying th^t his Ma^{ty} intrest is very greatly Concern'd in this Affair as well as the good and intrest of the Subject therefore will'd them to Speak who make Answer that they are not sensible of any thing in that nature and that they can Say no more then they have done but Referr themselves wholly to Cap^t Daniell to Rep^rsent their Case to the Comodore to which Cap^t Dan^l makes answer that he has already given the Comodore an Acco^t of as much as has been say'd now (by Letter) and that he will personally at his Going Down give him a further Acco^t. He is desired (if the Comodore alter his Resolution) for to send up an Express thereabout both by Land and by Water for which Care shall be taken to make to make satisfaction.

The hon^{ble} Coll: John Addison and Thomas Brooke Esq Came and were Aded.

Afterwards Cap^t Daniell being called aside was asked by his Ex^{cy} if he had any thing further to say in this matter who says he has not.

He is desired to Rep^rsent the Case truly to the hon^{ble} the p. 456 Comodore who says he will.

The foregoing proceedings are by Ord^r read over to the Gentl. last Come, who doe well approve off, and Agree to the same.

ffeb^{ry} the 19th 1696.

The Councill again Sate and were p^rsent,

His Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

S ^r Thomas Laurence Baron ^t Secry ^r	} Coll: John Addison } Thomas Brooke Esq } James ffrisby Esq
Coll: Henry Jowles	
Coll: Nich ^o Greenberry	

The Proceedings yesterday taken were again Read over to the Gentl. of the Councill this day Come; they approving thereof and Agreeing to the same.

His Ex^{cy}s
Comunicacōn
with his Mats
hon^{ble}
Councill abt
calling an
Assembly &^{ca}

His Ex^{cy} is pleased to Demand of the Board that they would deliberately Consult and give their Advice whether it will not (upon this Emergency of Affairs) be absolutely necessary for the Calling of an Assembly considering the Great Number of Ships that are likely to Stay behind; & what is best to be done therein—the w^{ch} being deliberately and maturely Debated it is Resolved upon as followes, Viz^t

Lib. H. D. That Considering this will be the only business which will be to be lay'd before the Assembly and that it is now a busy time with most p'sons upon the fleets going out besides the Unseasonable time of the Year so that it might be very inconvenient for them to meet together at this time and to save the Charge to the Countrey of calling an Assembly it is therefore the Unanimous Opinion of this Board that it will be most for his Ma^{ty} Service upon so suddain an Occasion as this that a State of the whole Case be sent to the Sheriff of each respective County of the Province Comanding them to shew the same to all the Burgesses Justices, Grand Juries, merch^{ts} & Trading men in the severall County's (especially to the Justices and Grand Jury's in march Court next) for them to give their Opinion therein under their hands respectively a Return whereof is afterwards to be made by the s^d Sherriffs unto the Port of Annapolis with all possible Speed hereby Signifying that it is the opinion of his Ex^{ty} and of all the members of his Ma^{ty} hon^{ble} Council (now p'sent) that if in Case the Comodore should now sayle & leave so many Ships behind that then the rest that are left behind be not permitted to go before the 15th of April next (and not otherwise then in a fleet together) by Reason that if they should stay till another Convoy Comes they must be forced to remain all Summer through which means their Voyage would be totally over thrown by their men falling Sick, dyeing Runing away and such like unavoidable Accidents according as it hath happened to some of their men already the Masters being left to make Choice of a Comodore to be Commissionated in like manner as was done last Year to whom the Severall Masters are to give Bond to follow such Comodores Instructions and directions hereby appointing that all the Ships that are left behind and lye up the Bay meet together by the s^d 15th of Apr^l next at the mouth of Petuxant River and all the Ships up Potomock at the mouth of S^t Maries River in Ord^r for their Sayling away in a fleet together for England under the Conduct and Comand of the Comodore for that End and purpose to be Commissionated as afores^d and as to what Scattering Ships shall be left after the s^d 15th day of Aprill and the Sayling of the s^d fleet that the same be not permitted to Depart the Province or sayle until further Ord^r whereof the severall Cott^{rs} and navall Officers are to take due notice and take Bond of the respective Masters (with sufficient security) which by them shall be Clear'd before the s^d 15th of Aprill whereby they may be Obliged to meet and sayle together as is afore directed. The Sherriffs are also hereby Required to Signifie to all such p'sons to whom they shall p'sent this, that those

p. 457

that Agree with the Opinion of his Ex^{cy} and his Ma^{ty} hon^{ble} Lib. H. D. Council in this Affair, they Express the same by subscribing their names that they are of the same Opinion and those that are of a Contrary Opinion are hereby in his Ma^{ty} name Comanded to draw up their reasons in writing and deliver the same to the Sherriffe in Order to be Return'd together with this Paper unto his Ex^{cy} and it is hereby declared that any p^{son} may ffreely doe the same without fear of Rep^{mand} or Sensure but may Expect rather to be thanked then otherways whose Reasons Offer'd may p^{haps} be so prevalent as to alter his Ex^{cy's} Resolutions.

The Assembly further pro-
rogued till the
26th of May. Lastly the Sherriffs are to give Notice to the Sever-
all members of his ma^{ty} hon^{ble} Council and House
of Burgesses that if in Case a Return of these
Matters shall be duly made and Complied with that then it is the
Opinion of this Board that the Assembly be further prorogued
untill the 26th day of May after which it is hoped there will be
no occasion of their then meeting neither but that they may
still be further prorogued, whereof timely notice will be given;
and the Assembly is hereby prorogued accordingly until the
26th day of May next upon the Condiçōns afore p^{mis'd} where-
of the severall members are to take due Notice and the
Sherriffs Ordered to publish the same accordingly and make
due Compliance in p^rforming every individuall thing hereby
directed as they will answer the Contrary at their Perill; as
also to Offer the following Rep^sentacōn to all p^{sons} to whom
the foregoing proceedings are directed to be Offered for their
Opinion in like manner to be given upon the same, which
Rep^sentacōn followes in these words, Viz^t

Representacōn
abt a Convoy
for this Prov.
ince It is most humbly Rep^sented to the R^t hon^{ble} the
Lords of the Committee of Trade and fforreign
Plantacōns by his Ma^{ty} Govo^r & Council of his
Province of Maryland that Whereas for these two years together
last past it is so fallen out that through the Extreimity of bad
weather much more Severe and difficult for all masters of Ships
& merchants Trading here then in his ma^{ty} Colony of Virginia
where ships are Capable of being much sooner laden by
reason of the more Sufficiency of the Planters nearness of
their Plantacōns and warmth of the Climate for which reasons
Severall great Ships of Considerable Countenance were forced
to stay behind the ffeet last year and are likely to doe so this
Year therefore do humbly Pray that his Ma^{ty} will be graciously
pleased to take the same into his Royall Consideracōn and
for the future to Order all such of his Ma^{ty} men of Warr as
hereafter shall be sent for Convoy of the Ships Trading in

Lib. H. D. these parts may be Obliged to Stay till all the Ships Coming into this Province can be got ready to Joyn the f fleet in Virg^a or that a particular Convoy be appointed for this Province without which it is morally impossible that the Ships Trading here should be Capable of getting Ready so soon as the Ships in Virg^a for the Reasons assigned especially when such weather happens as has done this winter.

The hon^{ble} Coll: George Robotham having had the p^rusall of the fforegoing Proceedings does well approve off and Agree to the same.

By his Ex^{ty} the Govern^r & Councill &^{ca} ffeb^{ry} 21th 1696^r

Ord^r abt forwarding the dispatch of the fleet &^{ca} Vpon the Receipt of a Letter this day from the hon^{ble} Cap^t Charles Wager Comodore of the Virg^a and Maryland f fleet unto his Ex^{ty} sent and directed as also another directed unto the Commanders of the Severall Merch^t Ships in the severall Rivers of Maryland both dated the 16th of this instant ffebruary which Came by Express thereby Signifying his having prolong'd the time of Cap^t Daniells Sayling hence until the 25th day of march next &^{ca} By which time it is hoped the greatest part of the Ships here may be ready to goe with him to joyn the Comodore in Virg^a Ordered therefore as it is hereby Ordered that all imaginable assistance be given by the People of this Governm^t in forwarding their dispatch accordingly Comāding all Officers Military & Civill to Aid and Assist them therein and that the Coopers do more Especially take Care that there be no defect on their side for want of Cask hereby declaring th^t whosoever shall be found to obstruct & hinder any of the Ships now lying in the Province in their dispatch out must Expect (upon Complaint made) to be p^rsecuted according to the Utmost Severity of the Law.

Ships not to be cleared after the 25th of March And the Sherriffs are to give further Notice to all the Masters Merch^{ts} and Traders in generall that such Ships as cannot now be got ready to sail with Cap^t Daniell by the s^d 25th day of march must not be permitted to goe until further Ord^r recd: from his Ex^{ty} and Councill appointed to Sitt at the meeting of the Prov^l Court in May next whereof the Several Coll^{rs} and Navall Officers are to take due Notice and to take Bond of Such as doe get ready for performance of the Severall Matters Contain'd in a former Ord^r of Councill dated the 14th of December last past touching the f fleets making up at Petuxant &^{ca} however the Sherriffs are notwithstanding hereby Commanded to shew

and Offer all the foregoing proceedings for the Severall Lib. H. D.
p'sons opinions thereon to be given in manner and fform as
thereby they are directed whereof they are in no wise to fail
at their perill and that afterwards they make due Return of
the same unto his Ex^{cy} together with what other Papers were
before sent them to Offer unto the Justices and Grand Juries
Viz^t the masters Peticōn and paper about the Privateer (if not
already sent) by an Express; His Ex^{cy} hoping to give no
further trouble about these matters.

Present at passing and making the afores^d Ord^r Viz^t
His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Secry^r }
Col^l: Henry Jowles }
Col^l: George Robotham }

The Comodores Letter to the Severall masters of Ships,
together with an abstract of what he sent unto his Ex^{cy} fol-
lowes in these words Viz^t

The Como-
dore's Lre to
the Severall
Masters of
Ships abt
longer time.

Whereas I am inform'd by Severall Letters from
Maryland that the Winter has been so hard that it
has been impossible for Ships to Load and that
they cannot be ready for the ffirst of March I doe
hereby Give notice that notwithstanding any
former Ord^r I will prolong the time of Saying as much as
possible, believing it for his Ma^{ty} Service as well as the Benefit of
Trade that no Ship may loose the Benefit of this p'sent Con-
voy to which purpose I have Ordered Cap^t Daniell to Con-
tinue in Maryland till the 25th of March by which time I hope
all Ships there will be ready to sail with him to Joyne the
Rest of the ffleet at Kicquatan; from which place I do pur-
pose to sail God willing the ffirst day of Aprill next.

Cha: Wager

Dated on Board his Ma^{ty} Ship
the Greenwich in York River ffeb^{ry} 16th 1696/7. }
Directed as followes Viz^t

On his Ma^{ty} Service.

To the Comand^{er} of the Severall Merch^t Ships in the Sev^{al}l
Riv^{er} of Maryland.

An Abstract of the Comodores Letter to his Ex^{cy} Viz^t
That their Longer Stay will occasion much difficulty, by
Reason of want of Provision, which he believes they will find
hard to be got there that he will prolong the time as farr as

Lib. H. D. possible and if he Can Stay till the first of April before he Sailes from Kicquatan where he purposes to make up the fleet.

That he believes a Vessel will be dispatcht away from thence that the Reasons of their Stay may be known and Shall Send up a boat in few days, which shall give his Ex^{ty} a further Acco^t of that.

feb^{ry} the 18th 1696/7.

p. 460 Came and appeared at the Board Coll: Henry Darnall the Lord Baltmores Agent Signifying his Intentions of going for England this fleet; in Ord^r to adjust and settle severall matters and Acco^u with his Lordship. therefore humbly desires that a Pass may be granted him pursuant thereto; whereby he may not meet with any obstruc^on Ordered that the same be granted him and prepared accordingly to pass und^r the Broad Seal of the Province; Provided he have made due Compliance with the Law of the Countrey in that Case.

The s^d Coll: Darnall does futher Move that being Entrusted by his Lordship in the issuing and Granting Warrants and Patents for Land and the hon^{ble} S^r Thomas Laurence Baron['] Secry['] being by an Ord^r of his Ma^{ty} in Councill Dated the 13th of feb^{ry} 1695, appointed to Receive the one moyety of the fees but does Refuse to bear half the Charge of the Office therefore Prays the Opinion of the Board therein, the which being Debated upon and the s^d Ord^r produced & Read together with the Agreem^t made betwixt the Lord Baltimore and S^r Thomas Laurence in Relation thereto, S^r Thomas does say that he has not as yet Rēcd: one farthing of fees nor will not untill the s^d Ord^r and Agreem^t be Explain'd by the Attorney Gen^l and my Lord Baltimore in England, it being adjudged that the s^d matter cannot be Determined here.

His Ex^{ty} is further pleas'd to acquaint the s^d Coll: Darnall how that there lyes a Dispute still to whom Waifs, Strays, Deodands treser trove, Estates of persons felo de se insanæ memoriæ &^a do belong and th^t he would do well (now he is a going for England) for to Signifye the same to the Lord Baltimore and to intimate likewise the want of an Escheat Office here it being intended that these matters shall be laid before his Ma^{ty} in Councill, who does say he shall acquaint his Lordship with it.

It is most humbly Rep^sented to the R^t hon^{ble} the Lords of the Committee of Trade and fforreign Plantacōns by his Ma^{ty} Govern^r and Councill of his Province of Maryland, That whereas there lyes a dispute in this Province in Relation to Waifs, Strays, Deodands treser trove, Estates of p^rsons felo de se, insanæ

memoriae &^{ca} as to the property therof to whom of Right they Lib. H. IV.
ought or do belong, therefore humbly Pray that his Ma^{ty} would
graciously Please to Send in his Royall Commands thereab^t
& in the matter of the Escheat Office aforementioned.

February the 19th 1696/7.

Read a Letter rēcd by his Ex^{ncy} the Govern^r from Coll:
Edmund Jenings his Ma^{ty} Secry^r of the Colony of Virg^a Dated
the 24th of Jan^{ry} last past together with a Warrant inclosed
Signed by his Ex^{ncy} S^r Edm^d Andros Gov^r of Virginia for the
apprehending Coll: John Cood, prosecuted for Blasphemy and
say'd to be fild from the hands of Justice into that Governm^t.

Ordered that his Ex^{ncy} S^r Edmund Andros be writ to,
desiring he would please to send one of the s^d Warrants to
Each of the County's within his Governm^t with directions and
Ordⁿ to the Sherriff that apprehend him for to deliver him up
to the next Justice of the Peace in this Governm^t Either on the
Eastern or Western Shore, where he should be taken to the p. 461
End he may be proceeded ag^t according to Law and that
withall it be Signified that (for his Ma^{ty} Service) he would
give Notice to all Masters of Ships within his Governm^t that
they p^rsume not to take on Board or Carry away the s^d Coll:
Cood, as also to write another Letter to the Hon^{ble} the
Commodore for to Cause all the Ships under his Convoy to be
Searcht lest he should be absconded and privately Carried
away and so Escape unpunished for his Enormous Crime and
his Ma^{ty} lose the debt Claim'd from him, for which process has
already issued.

The s^d Letters follow in these Words, Viz^t
Maryland Port of Annapolis Feb^{ry} 19th 1696.

His Ex^{ncys} L S^r
to S^r Edm^d
Andros abt
Sending a
Warrt to
Each of the
County's in
his Governm^t
abt Coll Cood.

This day was Read in Councill here a Letter by
me Rēcd: from Coll: Jenings Dated the 24th of
Jan^{ry} past together with a Warrant under yo^r
Ex^c hand and Seal for apprehending Coll: John
Cood, and upon Consideracōn thereon had it is
thought Expedient for his Ma^{ty} Service that you
would please to send one of the s^d Warrants to the Sherriff
of Each County within yo^r Governm^t with directions and
Orders to the Sherriff that apprehends him for to deliver him
up to the next Justice of Peace in this Governm^t Either on
the Eastern or Western Shore where he shall be taken, to the
End he may be proceeded against according to Law. And

Lib. H. D. that you would likewise give Notice to all Masters of Ships within yo^r Governm^t that they p^rsume not to take on Board and Convey away the s^d Coll: Cood; whereby he may Escape unpunished for such his Enormous Crime, and likewise defraud his Ma^y of the Debt Claim'd from him which appears by the proceedings in my Last Letter to yo^r Ex^{ty} inclosed.

The afore matters being thought of absolute Necessity for his Ma^{ty} Service to be done, Occasions thus much at p^rsent from

Gov^r of Virg^a Yo^r Ex^{ty}'s humble Serv^t
ffr: Nicholson

Maryland Port of Annapolis ffeb^y 19th 1696/7

His Ex^{ty}'s
L^{re} to the
Comodore abt
Searching
for Coll: Cood
&c^a

Hon^{ble} Sr.

There being a Person belonging to this Province (by name John Cood, lately Lieuten^t Colonell of the County of S^t Maries) within this Province; who being informed against here, for Blasphemy and a bill found by the Grand Jury thereon, as also sued for a debt of 400 and odd pounds Sterl. due from him to his Ma^y is for avoiding the paymen^t of the s^d Debt and the punishm^t due for such his Crime, fled for Virg^a and Supposing he may be got on Board Some Ship or other under yo^r hon^{ty} Convoy this Comes (in his Ma^{ty} behalf) to desire that you would Cause the Severall Ships to be Searcht for him before the fleet Sayles, And if in Case he should be found, that he may be Surrendered up into the hands of the next Magistrate of that Governm^t in Ord^r to be delivered up into the hands Justice here which will be a Peice of good Service done to his Ma^y and soe lookt upon and Esteemed by

p. 462

Cap^t Charles Wager Comodore. Yo^r humble Servant
ffr: Nicholson

Ord^r to the
Coll^{rs} & Nav^l
Offic^{rs} to
fforwarn all
Mast^{rs} of Ships
from taking
on board Coll
Cood &c^a

Ordered th^t the Collecto^r and Navall Officers within this Province do fforwarn all masters of Ships (at their Clearing) from taking on Board (either in this Province or Virg^a) Coll: John Cood, he being prosecuted here for Blasphemy, as also process out against him at the suit of his Ma^y for a debt of flour hundred and odd pounds Sterl. found to be due from him to his s^d Ma^y whereof they are all to take due Notice and heed, under penalty of being Lyable to pay the s^d debt whosoever shall Carry him away, according to the directions of the Law in such Case.

Ordered that the Rangers do, pursuant to the late Ordinance of Ass^{ly} send down for the Armes & Sadles &^{ca} allotted them here at the Port of Annapolis, for which they are to pay one half this year and the other half next year, The Time of their Ranging now drawing on. His Ex^{ty} is pleas'd to demand of the Board (whether they have anything further to Offer at this time) who say they have not.

ffeb^{ry} 19th 1696/7.

Me^{md}: the following Proceeding was then Read in Councill
Viz^t

Jan^{ry} 22th 1696.

The proceed-
ing of Talbot
Co: Justices
abt the
Records of that
County Court

At a meeting of the Justices of the Peace of
Talbot County for inspection of the Records of
the same County.

The Worpp ^{ll}	{	M ^r Robert Gouldesborough	{	M ^r Thomas Robins jun ^r	} his Ma ^{ty} Justices Present
		M ^r Rich ^d Tilghman		&	
		M ^r Robert Macklin		M ^r Math: Smith	

It appears to the s^d Justices upon their Veiwing the s^d Record that there has not been any Entry of the Iudgm^{ts} and Proceed- ings of the s^d Court since the Court held in December Anno 1694.

All of which is humbly Offer'd by the s^d Justices to the Consideration of his Ex^{ty} the Govern^r and to the Hon^{ble} his Ma^{ty} Councill for Redress.

Signed p Ord^r

Sam^l Newton Dep^{ty} Clk:

The s^d Proceeding was by Order indorsed as followes Viz^t

By his Ex^{ty} the Govern^r & Councill &^{ca} ffeb^{ry} 19th 1696/7

The within Paper being Read, it is observed that the Wor- shipfull the Justices have not given any Reason how such Neglect has happened; being sorry that such Omissions have been suffered and withall do Ord^r as it is hereby Ordered th^t they send the Reason of the Non Entry of those Judgm^{ts} that process may be Ordered out against the Parties Delinquents, his hon^r the Secry Certifying that he had (before the Coming of this) given Order for perfecting all the Records of that County Court.

Signed p Ord^r

Hen: Denton Cl Councill.

Lib. H. D.

February the 19th 1696.

Ord^r abt Mr
Platers Search
& inquiry for
Bonds & Certif.
at Mr Josephs
&c^a

Came Coll: Henry Darnall and delivered up vpon Oath Severall Navigation Bonds and Certificates, Certifying that they were all which he could find or knows off unless by Chance some might be left in the mean time of the Revolution at Mattapany now in M^r Josephs Charge, Ordered that M^r Plater make inquiry and Search for all such papers there.

February the 18th 1696.

Ord^r for Mr
Plater to send
to the
respective
Governm^{ts}
abt Lists of
Ships &
Vessells
trading there.

Ordered that George Plater Esq Coll^r and Receiver of his Ma^{ty} Customs within Petuxant District doe by the ffirst oportunity of Conveyance sent to the Severall Governm^{ts} belonging to his Ma^{ty} in these American parts to which Tobacco is or hath been usually Shiped desiring that the respective Govern^{ts} of the s^d Plantacōns would please to Couse an Authentic List to be made and attested under the Seal of each respective Governm^t of what Ships or Vessells have Come to any of those parts from this Governm^t (having respect to the Dates of the Sever all Navigacōn Bonds now in his Custody) together with an Acco^t of the quantities of Tob^o there imported and put on Shore and that the s^d Lists so taken and attested may be sent in with all possible Speed it being Adjudged by this Board a matter much importing his Ma^{ty} Service in distinguishing what Ships have transgressed his Ma^{ty} Laws and who have not, without which the people of this Province concern'd in the Navigacōn Bonds are likely to be great Sufferers.

Ord^r to the
Severall
Collrs &
Navall Officers
to make ffour
particular
Lists of all
Ships &
Vessells &c^a

Ordered that the Severall Collectors and Navall Officers within the Province and their Deputies do make out ffour particular Lists of all Ships by them Enter'd & Cleard from the time of the ffirst Arrivall of the late Govern^r Copley by them to be brought up to the Assembly in March, if they then Sit, otherwise to bring them up to the Port of Annapolis on the 15th day of Aprill next in Order to make Oath to the Same hereby Ordering that all fformer Officers that are now out of place be acquainted by the p^resent Officers for them to make Like Lists and bring what Bonds, Certificates and other papers (belonging to their respective Offices) remains now in their Custody in Order to be Surrendered up upon Oath.

On the back of the s^d Ord^r was thus written by Ord^r Viz^t

February 22^d 1696.

Lib. H. D.

Forasmuch as since the writing the within Order it is determined the fleet should Sayle hence the 25th of March p. 464 therefore the respective Collecto^r and Navall Officers are Expressly to be and appear at the Port of Annapolis together with the fformer Officers with the Lists &^{ca} for the End & purpose within directed by the 20th of March next without fail.

Signed p Ord^r

Hen: Denton Cl Concil.

(Seal)

Attestacōn of
the Earle of
Romny's
Pattent under
the Seal of the
Mayoralty of
London

To all to whom these p'sents shall Come We
S^r John Hoblon Knight Lord Mayor and the
Aldermen of the City of London Doe hereby make
Known and Certify That on the day of the Date
hereof in his Ma^{ty} Court holden Before Us in the
Chamber of the Guild hall of the s^d City Personally Came and
appeared Henry Earle of Romney & John Glover of London
Gent. And did then and there Seal and deliver as their Act
and Deed to the use of Thomas Robinson of London Mer-
chant the Lett^r of Attorney by them now produced for certain
purposes therein mention'd bearing date the 21th day of
August last past And also Signed & attested by M^r Anthony
Wright Notary Publick dwelling in this City Which we have
caused to be here unto annexed, In ffaith & Testimony whereof
wee the said Lord maior and Alderman have caused the Seal
of the Office of Maioralty of the s^d City of London to be
hereunto put and Affixed Dated in London the ffifth day of
Septem. Anno Domini 1696: And in the Eighth year of the
Reign of King William the Third of England &^{ca}

(Seal)

Goodfellow.

(Seal)

Henry Earl
of Romney
Pattent from
his Maty abt
Prizes &^{ca}
being a Copy
from the
Originall . .

William the Third by the Grace of God King
of England Scotland, ffrance & Ireland Defender
of the ffaith &^{ca} To the Commⁿ of our Treasury
now being, and to the Treasurer and under Treas-
urer of our Excheq^r or Commⁿ of our Treasury
for the time being, and to the Chancell^r under
Treasurer, Chamberlains and Barons of the Excheq^r and to
the remembrancers in the Excheq^r And Auditⁿ of our fforreign
Acco^{ts} and every of them, And to all other Officers & Ministers
of the Excheq^r now being or that hereafter shall be, and to
all our Judges Surrogates advocates and Officers whatsoever

Lib. H. D. in Our Supream Court of Admiralty or in any other Court of Admiralty whatsoever that now are or hereafter shall be, And to all other our Officers & Ministers whatsoever and others
 P. 59 whom the p'sents do or shall appertain Greeting; Whereas our Right Trusty and R^t welbeloved Cousin and Councill^r Henry Earle of Romney and our Trusty & welbeloved John Glover Gentl. Have humbly represented unto us, that Severall Ships Vessells Jewells Sumes of money, goods, wares, merchandizes Comodities or other matters or things have been by the Comandⁿ of Severall of our Ships of Warr, or those Serving under them, or by Severall of our Officers or by Some other person or persons, Our Subjects as well by Commission from us as without Since our accession to the Crown, taken & Seized for Prize as belonging unto the french King or some of his Subjects or Some other our Enemies, or from pyrates, and the Same have been carryed into Severall ports and places in our Colonys or Plantacōns in Jemaica, Barbadoes, New England, Virg^a Maryland and Antego, & Severall other Ports and places in America, and also into the Port of Lisbon in the Kingdom of Portugall, or into Some other port or place in the s^d Kingdom of Portugall & into Leghorne and Severall other ports and places in Italy, of all which Ships Vessells Iewells Sumes of money, goods, wares, merchandizes, Comodities or other mattⁿ or things, So taken or Seized as Prize, and of the Values of the Same, a true and Just Acco^t ought to have been kept and proceedings, should have been had or made for adjudication of the Same, in Some Court of Admiralty, and the s^d Ships, Vessells, Jewells, Sumes of money, goods wares, merchandizes, Comodities or other matters or things so taken or Seized as Prize, or some proportions or parts thereof, or of the Value, or proceed of the Same, ought to have been answered paid or delivered to our use; But th^t the s^d Comandⁿ Officers, or other p'son or p'sons, who have the s^d Ships, Vessells, Jewells, Sumes of money goods, wares merchandizes, Comodities, or other matters or things or the Values or proceed thereof, in their hands or are chargeable therewith or lyable thereunto, Have not answer'd paid deliver'd or accompted for the Same to us or our Officers for our use, and have hitherto unjustly detain'd and withheld the Same, from us, or Secretly Sold or disposed thereof, without giving us or any of our Officers (who should take Care on owr behalf) any Acco^t of the Same to our great Injury and Damage, we being Resolved that the s^d Comandⁿ Officers or other p'son or p'sons, and all others, chargeable or lyable as afs^d shall be brought to make true Accoⁿ and give us just Satisfaction of and for our parts or proportions of the Severall Prizes before mencon'd and out of the Same (when received

or recovered) to reward the s^d Henry Earl of Romney and John Glover for their good Service Pains and charges employed or to be employed in discovering prosecuting & recovering our Iust dues and demands in the Premises, Our will and pleasure is And we do by these p'sents give full Power and Authority to the s^d Henry Earl of Romney and John Glover. That the s^d Henry Earl of Romney and John Glover, or either of them, shall and may in our Name and on our behalf, ask demand and receive of and ffrom the s^d Co^mmanders Officers, or other p'sons whatsoever who are or may be charged or lyable in this respect, a full true and ffaithful acco' of all and Every, or any the s^d Ships Vessells, Iew^{ls} or Su^ms of money, goods wares merchandizes, Co^modities or other matters or things so taken or Seized as Prize & which do or ought by any manner of ways or means to belong unto Us, & which are or were carried into the Severall Ports or places in our s^d Colony's or Plantacōns of Jamaica, Barbadoes, New England, Virg^a Maryland, and Antegoe or any other Ports & places in America, or into the s^d Port of lisbon or any other Port in the s^d Kingdom of Portugall or into Leghorne or any Ports and places in Italy; and of the Nature Quantities qualities values & proceeds of the Same, every or any of them, and at what particular places, and at what particular times, the same were so taken and what adjudications have been had thereof, and where & how the same or any of them have been deposited, Sold or otherwise disposed off or do now remain, or what is become thereof, or of any part thereof, and of any other matters or Circumstances relating thereto, and the View and inspection of any Books, Acco^{ts} or papers which they or any of them have in their or any of their Custody or Power for the fuller clearing & manifesting of the Truth in the p'mises, and also in our Name and on our behalf, to require the s^d Co^mand^{rs} Officers or other p'sons, chargable or liable as afores^d forthwith to deliver pay and Satisfye or cause to be delivered paid and Satisfyed Our Severall parts of all, every or any of the s^d Ships Vessells, Iewells Su^ms of money goods wares Merchandizes Co^modities or other matters or things afores^d Or our parts of the Vallues or proceeds of the same wherewith they or any of them are respectively chargable as afores^d to wit one Moyety or half part of our respective parts or proportions of and in the same into the receipt of our Excheq or otherwise as you the Com^{rs} of our Treasury, now being, or our high Treasurer or Comm^{rs} of the Treasury for the time being shall appoint, for our Use, and the other moyety or half part of our said parts or proportions to the s^d Henry Earle of Romney and John Glover to their own use & behoofe for their good Services, paines & charges in dis-

Lib. H. D.

p. 61

Lib. H. D. covering, prosecuting & Recovering the p'mises; Provided always and our will & meaning is, that no Accoⁿ or Accⁿ so to be received or taken by the s^d Henry Earle of Romney and John Glover or either of them shall be difinitive or Conclusive against us Our Heirs or Successoⁿ unless the Same be finally adjusted and allowed by and under the hands of you the Commⁿ of our Treasury or any Three or more of you now being or our high Treasurer or any three or more of the Commⁿ of our Treasury for the time being, and wee do hereby further Authorize and Impower you the s^d Commⁿ of our Treasury or any Three or more of you now being and our Treasurer Chancellor and under Treasurer of our Excheq or any three or more of the Commⁿ of our Treasury for the time being to cause the s^d Acco^t or Accoⁿ to be examined Stated and Audited as you shall think fitt, and to adjust allow
 p. 61 declare and finish the same with such allowances to be made therein as you shall see reasonable, and on our behalfe make any Composicōn or Agreemⁿ with the said respective Comānders Officers or persons, or any others chargable as afores^d of for and concerning the s^d Ships, Vessells, Jewells Sums of money, goods war's merchandizes, Comodities or other Matters or things afores^d or any of them or for or concerning the Values or proceeds of the Same or our parts therein & upon payment of the moneys w^{ch} shall be due to us by such Accoⁿ or Accⁿ or by such Composicōn or Composicōns agreem^t or Agreemⁿ as afores^d finally to discharge the s^d Comānders Officers and persons or any others chargable or lyable as afores^d against us our Heirs and Successoⁿ or to Cause th^m or any of them to be finally discharged of from and concerning the p'mises by Quietus est. or by such other Lawfull ways or means as in that behalf shall be desired and advised. And our further will & Pleasure is and we do hereby direct authorize and Comānd That in Case the s^d Comānders Officers and persons or any of them or any others chargable or lyable as afores^d shall refuse or neglect to make just and ffair Accoⁿ of Satisfaction thereupon as aforesaid Then you and every or any of you respectively to whom in yo^r respective places or stations it doth or shall appertain do and shall forth with & from time to time at the request or requests and at the charges of the s^d Henry Earl of Romney and John Glover or either of th^m issue or make forth or cause to be issued or made fforth such and so many Comission or Commissions (to be directed to such p'son or p'sons as the s^d Henry Earle of Romney and John Glover or either of them with the approbation of you the Commⁿ of our Treasury now being and our high Treasurer or Commⁿ of our Treasury for the time being shall Nominate) or such writts or other Process as may from

time to time be Lawfully issued or made forth and shall do or Lib. H. D.
Cause to be done all other Lawfull Acts, matters and things
as shall be Necessary conducable or Convenient for the inquir-
ing into, finding out & for the effectual recovery of our parts
shares or proporcons of all every or any of the s^d Ships,
Vessells, Jewells Sums of money, goods wares, merchandises
Comodities or other matters and things taken & Seized as
Prize as afores^d or of the Values or proceeds of the same, or
for bringing the said respective Comanders, Officers or persons
or any of them or any others lyable as afores^d to just true &
ffaithfull Acco^u of the Same, And lastly Our will and pleasure
is and we do hereby authorize & Comand you the Commⁿ of
our Treasury now being & the Treasurer and under Treasurer
of our Excheq or Commⁿ of our Treasury for the time being p. 62
to cause one full moyety or halfe part of whatsoever shall be
due received and recovered for our parts or proportions of
the said, Ships, Vessells Jewells, Sums of money goods wares,
merchandizes Comodities or other matters and things taken
and Seized as afores^d or of the Vallues or proceeds of the
same to be delivered over or issued to the s^d Henry Earle of
Romney and John Glov^r or their assigns in reward and for
their charges as afores^d to their own use and behoofe without
any Acco^t Intrest or other charge to be set upon them for
the Same, and these our Letters of the Entry or Enrollm^t
thereof shall be to you and every of you a Sufficient Warr^t
and discharge in this behalf Given under our Privy Seal at
our Palace at Westminster the one and Twentieth day of
March in the Seaventh year of our Reign.

C: Bickerstaff.

Mr Thos
Robinson Lettr
of Attorney
from the Earl
of Romny abt
Prizes &c
Attested by a
Notary Publick

Know all men by these p'sents, That we Henry
Earle of Romney and John Glover of London
gent. for the Trust and Confidence which we have
and repose in Thomas Robinson of London
Merch^t Have made and Constituted and by these
presents do make and constitute the s^d Thomas
Robinson to be our Attorney and Substitue Irrevocable;
Giving and by these p'sents granting unto him all such full
power and Authority as to us is given & granted by his Ma^{ty}
most gracious grant to us in that behalf made dated the 27th
day of March in the Seaventh year of his Ma^{ty} Reign whereof
a True Coppy is above written; To ask demand and Receive
of and from all Comand^{rs} of his Ma^{ty} Ships of Warr or those
Serving under them or of the Severall Officers or other p'sons,
True and ffaithfull Accounts of his Ma^{ty} parts and proportions
of all and every or any the Ships, Vessells, Jewells Sums of
money goods wares Merchandizes Commodities or other

Lib. H. D. matters or things which have been by the s^d Co^manders and others or any or either of them as well by Commission from his Majesty as without since his accession to the Crown taken and seized for Prize as belonging to the ffrench King or some of his Subjects or some other his Ma^{ty} Enemies or from Pyrates and have been Carryed into Maryland and all or any places adjacent and belonging to Maryland afores^d and of the Nature quantities qualities Values and proceeds of the Same and for w^{ch} the s^d Co^manders and other persons or any of them are or ought to be answerable and futher to doe and perform & Execute in Maryland afores^d and the s^d places adjacent all and singular the matters and things which we the s^d Henry Earle of Romney and John Glover or either of us might or Could there do by Virtue of the s^d Grant and the Authorities therein and thereby given Ratifying and Confirming what shall be
p. 63 done by our s^d Attorney in or about the p^rmisses by Virtue of these p^rsents; In witness whereof we have hereunto put our hand and Seals in London the one and twentieth day of August Anno Domini 1696.

Sealed and delivered

in the p^rsence off.

Edw^d Johnson

Jos: Graddwell

Romney [Seal]

John Glover [Seal]

I Anthony Wright Notary Publick dwelling in London by Lawfull Authority admitted and sworne; Doe Certifye and attest; That the Copy of the Grant hereunto annexed is a True Copy of the Origin^l grant to me produced by M^r John Glover and to him redelivered and doth Agree with the s^d Originall being by me Compared; And I do also Certifye that the R^t hon^{ble} Henry Earl of Romney and the Said John Glover did in the presence of me Notary Seal and deliver the letter of Attorney aforegoing of w^{ch} I have made this Act the 21th day of August 1696. being thereunto required.

In testimonium Veritatis

(Seal)

Antho: Wright Nots Pub.

August 21th 1696.

Mr Thos
 Robinson et al
 Commission
 out of the
 Admilty for
 putting in
 Execution the
 Earl of
 Romny's
 Pattent in the
 Province &ca

Gulielmus Tertius Dei gratia Anglie Scotie
 ffrauncie et Hibernie Rex fidei Defensor &^{ca} Dilec-
 tis Nobis Thomæ Robinson et Edvardo Jones
 Arm^o Iohanni Thompson et Gulielmo Billop Gen
 et eorum cuilibet Salutem Cum Dilectus Nr
 Carolus Hedges Miles Legum Doctor Locum
 tenens Nr Supremæ Curie Admiralitatis Nræ
 Anglie et in dicta Curia et officialis principalis
 Com^{usq} generalis et Specialis ac Presidens et Iudex ejus^d

necnon ad audiendum et terminand : omnes, et Singulas Cau- Lib. H. D
sas et querelas quoad naves et bona jure R^ep^asa belli capt aut
Seizit Specialiter constitut Comissionem ad effectum Subse-
quen Decreverit Justitia id poscente vobis igitur conjunct. et
divers. harum Serie potestatem concedimus et elargimur ac
mandamus quatenus respective M^{ros} et nonnullos nautarum
aliarumve personarum omnium et Singularum Navium et
navigiorum quocunq modo pro præda capt Seizit et imposte-
rum capiend. vel Seizand et ad Maryland in America vel ad
alias partes adjacen adduct Seu adducend coram Vobis conj^a
et div^a producend et Sistend juramento corporali oneretis et
astringatis quibuscunq diebus et locis per Vos in ea parte
Statuend Super Interrijs in p^rio presentibus annex ac etiam
alijs per vos ad tunc Interrijs pro re nata inscriptis ministrand
in vim juramentorum corporalium a Singulis prestandorum
Secrete et Singulatim examinetis et interrogetis eorumque
Dicta et Depoñes in Scriptis fideliter redigi faciat Assumpto
Vobis ad p^rsentium executionem quocunq No^o Pub^{co} fide
digno vel si p^rsentia No^{ri} Pub^{ci}. haberi non poterit tunc et in p. 64
eo casu Assumptis duobus testibus Literatis quibuscunq in
Vrūm in hac parte Actor Scribam et Reg^{riūm} necnon As-
sumpto Vobis quoties res postulaverit Interprete fide digno
per vos conj^m et div^m jurto onerando Mandantes quatenus
finito examnis neg^a M^{ri} et nautar aliarumve personarum
cujuslibet navis (ut p^rfertur) capte Seu capiend Dicta et Depoñes
eorund. vera cum copia Inter Super quibus examinati fuerint
totumq Vrūm processum quem Super hoc coram Vobis conj^m
et div^m de tempore in tempus haberi contigerit in publicam et
authenticam formam redact Sigillisq Vestris et clause Sigillat
ne pandi aut percontari possint imediate post examñem
testium cujuslibet Navis Iudici Curie Nōre prædict ejusve
Surro debite transmittatis vobis etiam harum Serie similem
potestatem concedimus et elargimur ac mandamus quatenus
non omittatis quin per Sacramentum quinq. legalium hominum
noteq. probitatis et peritie per Vos vel unum Vrūm onerand
de qualitate et conditione seu Statu in pejus ruente navium
quarumcunq Seu quorumcunq bonor rerum mercium et mer-
cimonior Sic (ut p^rfertur) capt seu capiend et ad Maryland vel
ad alias partes adjacentes adduct seu adducend debite inqui-
ratis necnon naves et bona res merces et mercimonia quæcunq
Sic (ut p^rfertur) capt seu capiend quæ peritura sunt et ser-
vando Servari non possunt per quinq probos et legales
homines longa experientia circa qualitatem et Valorem bonor
Sive rerum Sic app^rtiand et pro peritis in ejusmodi bonis seu
mercibus habit et reputat per Vos vel unum Vrūm ad id eli-
gend et juramento coporali de eisdem fideliter appretiañd et
estimand per vos vel unum Vrūm onerand fideliter et juste

Lib. H. D. juxta veros eorundem valores de tempore in tempus quoties res postulaverit appretiari et estimari faciatis et de eisdem disponatis juxta juris exigentiam dictasq app'nes Sic fact manibus Vris vel unius Vrūm et manibus dictorum app'tiatorum Subscript totumq et integrum processum coram Vobis habitum et factum Judici Curie Nre p^re ejusve Surro. etiam translatis Et hoc nullatenus omittatis; Dat Londini in Curia Nostra predicta Sub Sigillo ejusdem Magno, decimo Septimo die mensis Septembris Anno Domini 1696: Regniq. Nostri Octavo.

There were Interrogatorys annex't to } Orlando Gee Reg^{rius}
the Comission like as to M^r Jenings }
Comission out of the Admiralty
(Seal)

Mr David
Kennedy's
Deputacōn
from the
Commⁿ of the
Customs for
Pocomoke
District in the
Province.

To all people To whom these presents shall come We the Commssionⁿ for manageing and causing to be Leavyed and collected His Ma^{ty} Customs Subsidies and other Duties in this his Kingdom of England send Greeting, Know Yee that we the s^d Commⁿ Have by virtue of an Act of Parliam^t made in the Twenty ffifth year of the Reign of King Charles the Second Entituled an Act for Encouraging of the Eastland and Greenland Trades, And for better Securing the Plantacōn Trade and in pursuance of the Authority and Direction to us Given by the R^e honourable the
p. 65 Lords Comⁿ of his Ma^{ty} Treasury, Deputed and impow'r'd and Doe hereby Depute and Impower David Kennedy Esq To be Collect^r of all the Rates Duties and Impositions arising & Growing due to his Ma^{ty} at Pocomoke River in his Ma^{ty} Province of Maryl. By virtue of the s^d Act, Whereby Hee hath Power to Enter into any Ship Bottom Boat or other Vessell, As also into any Shop House Ware House, Hostery, or other place whatsoever, to make diligent Search into any Trunck Chest, Pack, Casse Truss or any other parcell or package whatsoever, ffor any Goods Wares, or Merchandize Prohibited to be imported or Exported, or whereof the Customs or other Duties, have not been duly paid, and the same to Seize to his Ma^{ty} use. And also to put in Execution all other the Law full Powers and Authorities for the better manageing or Collecting the s^d Duties, in all things proceeding as the Law directs; Hereby praying & Requiring all & every His Ma^{ty} Officers and Ministers and all others whom it may concern to be aiding and assisting to him, in all things as becometh. Given under our hands and Seal at the Custom House London this 21th day of Nov^r in the Eighth Year of the

Robt Southwell
Sam Clarke

Walt Young
Jam Chadwick

**Commrs of
the Customs
Lre to his
Exncy abt
Mr Kennedy's
Deputacón**

Sr

the Customs
Lre to his
Excy abt
Mr Kennedy's
Deputacōn

Pursuant to the directions of the R^t Hon^{ble} the
Lords Comm^{rs} We have issued forth our Depu
tacōn to the Bearer David Kennedy to be Collecto^r
of the Rates and Duties Imposed by the Act
made in the 25 year of the Reign of King Charles the
Second at Pocomoke in the Province of Maryland. The Said
M^r Kennedy hath there given Security And upon his taking
the Vsual Oath, We desire you will please to Admit him to
the Execution of his Duty giving him all due encouragem^t for
his ma^y Service

We remain S^r
Custom House London
15: feb^{ry} 1696.

Yo^r very humble Servants
C Godolphin
Walt^r Younge
Sam Clarke
Iam Chadwicke

Gov' of Maryland.

Comrs of the
Customs Lre
to his Exncy
abt Mr Jennings
Deputacōn

 S_r

Customs L^{ts} Pursuant to the Direction of the R^t Hon^{ble} the
to his Excy Lords Comm^{rs} of his Ma^y Treasury, We have
abt Mr Jenings issued forth our Deputacōn to this bearer M^r Peter
Deputacōn Jenings to be Coll^r of his Ma^y Duties under our Managem^t at
Potuxen River in Maryland instead of George Plater who for
Severall matters of Complaint exhibitted before us ag^t him
by M^r Randolph We have thought fitt to discharge from
th^t employm^t The s^d M^r Jenings hath here given Security, And
upon his taking the Usuell Oath before you We desire you
will please to admitt him to the Execution of his Duty giving
him all due Encouragem^t for his Ma^y Service;

We are S

Custom House London
3: February 1696.

Custom House London { Yo^r very humble Servants
3: February 1696. { Ja: Chadwicke Sam: Clarke
Ben: Overton Rob^t Clayton
Gov Maryland. (Seal) Robert Southwell

Gov Maryland.

**Mr Jenings
Deputacōn
from the Comrs
of the Customs
for being Collr
of Petuzant
District**

Mr Jenings
Deputacon
from the Commⁿ
of the Customs
for being Coll^r
of Petuxant
District

To all People to whom these p'sents Shall
Come, We the Commⁿ for manageing and Causing
to be Leavyed and Collected, His Maⁿ Customes,
Subsidies and other Duties in this his Kingdom
of England send Greeting Know Yee th' we the
s^d Commissionⁿ Have by Virtue of an Act of Parliam^t made

Lib. H. D. in the ffive and Twentieth Year of the Reign of King Charles the Second, Intituled an Act for Encouragem^t of the Eastland and Greenland Trades, and for better securing the Plantacon Trade, And in Pursuance of the Authority and Direction to us given by the R^t Hon^{ble} the Lords Comm^{rs} of his Ma^{ty} Treasury Deputed and Empower'd, And doe hereby Depute and Impower Peter Jenings Esq to be Coll^r of all the Rates and Duty's Imposicōns arising and Growing due to his Ma^{ty} at Potuxen River in his Ma^{ty} Province of Maryland, By Virtue of the s^d act, Whereby he hath Power to Enter into any Ship, Bottom Boat or other Vessell, As also into any Shopp, House, Ware House, Hostery or other place whatsoever, to make Diligent Search into any Trunck, Chest, Pack, Case, Truss, or any other Parcell or Package whatsoever, ffor any Goods Wares or Merchandizes Prohibited to be Imported or Exported, or whereof the Customs or other Duties have not been duly paid, And the same to Seize to his Ma^{ty} Use and also to put in Execution all other the Lawfull Powers & Authority's for the better Manageing and Collecting the s^d Dutys, in all things proceeding as the Law Directs Hereby praying and Requiring all and every his Ma^{ty} Officers and Ministers and all others whom it may Concern, to be Aiding and Assisting to him in all things as becometh Given under our hands and Seal at the Custom-House London This Twenty ffirst day of Novem. in the Ninth year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1696.

C. Godolphin	} Sam: Clarke	} Ben: Overton
Rob ^t Southwell	} Walter Yonge	} Ja: Chadwick

p. 67

By the Principal Comm^{rs} for Prizes.

Mr Jenings
Commission
from the Prin-
cipal Comm^{rs} for
Prizes for
being their
Agent here in
Maryland

Whereas his Ma^{ty} by Commission under the Great Seal of England hath made Constituted and Appointed Us to be Principal Comm^{rs} for the Care & Managem^t of all such Ships, Goodes and merchandizes, as are have been or shall be taken or Seized for Prize; during Hostility with the ffrench King thereby Giving Us or any three or more of Us ffull Power & Authority by Commission under our hands and Seal, with the Approbation of the R^t hon^{ble} the Lords Comm^{rs} of his M^{ty} Treasury to Substitute such, and So many Persons, as are Necessary to be Employed in and about the Service And we having rēcd their Lordships Warrant in that behalfe doe by Virtue of the s^d Commission Constitute and Appoint you Peter Jenings Esq and you are hereby Constituted and appointed, Agent for all Prizes that are,

have been, or shall be brought into all, or any of the Ports Lib. H. D.
in Maryland or Districts therefore, with full Power and
authority to you to doe, and perform, all and all manner of
things to the s^d Place of Agent belonging and appertaining,
according to such directions and Instructions, as you shall
from time to time, receive from us or any three or more of
Us; And whereas we are Inform'd there are and hath been
great concealm^{ts} and Embezilm^{ts} made & Comitted and th^t
also no Acco^t hath been yet Return'd unto Us of any Prize
Ships Goods or Merchandizes, w^{ch} hath been brought into
any Ports or place in Maryland or its Districts, or in to any
other place upon the Continent of America or any of the
Islands thereunto beloning; We doe therefore hereby further
Impower you the s^d Peter Jenings, and such others as you
shall think Necessary to Employ to Enquire after, Examine
and find out, all matters and things transacted or that shall
be transacted comitted or done touching the premises in the
s^d Colony of Maryland or its Districts, or in, or on any other
place or places upon the Continent of America, or in any of
the Islands there unto belonging, from the 19th of June 1689,
for and during the time and Continuance of this our Com-
mission, and all our Officers & others concern'd are hereby
Required to Assist, Produce, and Submit to Examination, all
Books, Acco^{ts} Papers and other vouchers, which relate to or
shall be necessary for this Service. And for the better &
more Effectuall Executing this our Commission, you are also
Aided with a Commission out of his Ma^{ty} high Court of
Admiralty for the Examining upon Oath any person or
persons you shall think fit, for the full Discovery of all ffrauds
&^{ca} as by the s^d Commission, and Instructions doth more at
large appear; Given under our hands and the Seal of our
Office the 19th day of November 1696.

Ja: Vernon	}	Jon ^s Jenings	}	Rog ^r Langley	}
Jn ^o Paschal		Jn ^o Parkhurst		Edw ^d Ayscoghe	
		Rob ^t Murray		Micha ^l Cole.	

Mr Jenings	Gulielmus Tertius Dei Gratia Angliæ, Scotiæ, p. 68
Comission out	Franciæ et Hiberniæ Rex fidei Defensor & ^{ca}
of the	
Admiralty for	Dilecto nobis Petro Jennings Armigero salutem
putting his	Cum dilectus noster Georgius Bramston Legum
other	Doctor surrogatus Dilecti nostri Caroli Hedges
Comissions in	Militis Legum etiam Doctoris Supremæ Curie
Execution	Admiralitatis nostre Anglie et in dicta Curia et Officialis
	principalis Commissarij. Generalis et specialis et Presi-
	dentis et Iudicis ejusdem Necnon ad audiendum et termi-
	nandum omnes et singulas Causas et querelas quoad Naves

Lib. H. D. et bona jure Repressaliarum vel belli capta aut seizita specialiter Constituti Commissionem ad effectum subsequentem Decreverit (Justitia id poscente) Tibi igitur harum serie potestatem concedimus et elargimur ac mandamus quatenus respective Magistros et nonnullos nautarum aliarumve personarum omnium et singularum Navium et Navigiorum quocumq modo pro præda captorum vel seizitorum et imposterum capiendorum vel seizandorum et ad Maryland et districtos ejusdem aut alios quoscunq portus seu quecunq loca in America vel ad Insulas eidem spectantes adductorum seu adducendorum coram Te producend et Sistend juramento corporali oneres et astringas quibuscumq diebus et locis per Te in ea parte Statuendis super Interrogatorijs in preparatorio presentibus annexis ac etiam alijs per Te ad tunc Interrogatorijs pro re nata in Scriptis ministrand in vim juramentorum corporalium a singulis prestandorum Secrete et Singulatim examines et interrogas eorumq Dicta et Depositiones in Scriptis fideliter redigi ffacias Assumpto Tibi ad presentium executionem quocunq Notario Publico fide digno vel Si presentia Notarij Publici haberi non poterit tunc et in eo casu assumptis duobus testibus Literatis quibuscunq in vestrum in hac parte Actorum Scribam et Registrarium necnon assumpto Tibi (quoties res postulaverit) Interprete fide digno per Te juramento onerand mandantes quatenus finito examinationis Negotio magistri et nautarum aliarumve personarum cujuslibet Navis (ut prefert) capte seu capiende Dicta et Depositiones eorund totumq vestrum processum quem Super hoc coram Te de tempore in tempus haberi contigerit in publicam et authenticam formam redactum Sigilloq tuo et clause sigillatum ne pandi aut percontari possit imediate post examinationem testium cujuslibet navis Iudici Curie nostre predictæ ejusve Surrogato debite transmittas, Tibi etiam harum Serie Similem potestatem concedimus et elargimur ac mandamus quatenus non omittas quin per Sacramentum quinq legalium hominum noteq probitatis et peritie per Te onerand de qualitate et Conditione in pejus ruente navium quarumcunq Seu quorumcunq bonorum re cum mercium et mercimoniorum Sic (ut præfertur) captorum seu

p. 69 capiend et ad Maryland et districtos ejusdem aut alios quoscunq portus seu quecunq loca in America vel ad Insulas eidem Spectantes adductorum seu adducendorum debite inquiras Necnon Naves et bona vel merces et mercimonia quecunq sic (ut p'fertur) capta seu capiend que peritura sunt et Servando Servari non possunt per quinq probos et legales homines longa experientia circa qualitatem et valorem bonorum Sive rerum sic appretiandorum et per peritos in hujusmodi bonis seu mercibus habitos et reputatos per Te ad id elegendas ac juramento corporali de eisdem fideliter appretiand et esti-

mand per Te onerand fideliter et juste juxta veros eorumdem Lib. II. D.
valores de tempore in tempus quoties res postulaverit Appre-
tiari et æstimari facias et de eisdem disponas Juxta juris
exigentiam Dictasq Appretiationes Sie factas manu tua et
dictorum Appretiatorum Subscriptas totumq et integrum pces-
sum coram Te habitum et factum Iudici Curie nostre predice
ejusve surrogato etiam transmittas et hoc nullatenus omittas,
Dat Londini in Curia nostra predicta Sub Sigillo ejusdem
magno Vicesimo Tertio die mensis Decembris Anno Domini
1696 to Regniq nostri Octavo.

Orlando Gee Reg^{rius}

Mr Jenings
Interrogatory's
belonging to
the Comission
out of Admilty
abt the
directions of
the Office

Interrogatoria ministranda in p'paratorio ex
parte S: D: N: Guilielmi Tertij Dei Gratia Angliæ
Scotiæ Franciæ at Hiberniæ Regis &^{ca} Testibus
omnibus et Singulis quoad quascunq: Naves et
bona capta seu in posterum capienda et infra
portus de Maryland et districtus ejusd^m adducta
seu adducenda, Utcunq; producendis Sequuntur Viz^t

Imp^a Interr quilib^t Whether doe you know the Ship concern-
ing w^{ch} you are now Examin'd, What is her Name and how long
hath she been called by that Name and by what other Name or
Names hath she been Called, who is master of her, and how
long hath he been soe and by whom was he appointed so to be,
Whether was & is there not some other master of the s^d Ship
besides him, and what is his Name and by whom was he so
appointed and where is he, and of w^t Nacōn: is he, and to
what Prince or State a Subject, and of what manner and fform
of Building was & is the s^d Ship, Is she not ffrench built or
where was she built, and of what Burthen is she Et Interr
conj^m div^m et de quolib^t.

2 Item Interr quilib^t Whether doe you know the Own^r of the p. 70
s^d Ship (If yea) what were and are their Severall and respect-
ive Names and how doe you know them to be Own^r Where
were and are their Severall Habitacōns and dwellings and
how long have they Severally dwelt there, of w^t part and
portion is every one of them an Own^r and how long hath Each
and every one of them been soe and of what Nacōn are they
and every one of them and to w^t Prince or State were & are
they and every one of them a Subject Et ffiat ut Supra.

3 Itm Interr quilib^t ffrom what Port or place did the Ship in
her Voyage outward Bound set Saile upon her Voyage in
which she was taken, and where & to what place or Port was
she really bound with her p'sent Loading and where to be
deliver'd whether to Severall or to one Port only, If at Severall
Ports, how many Severall Ports, and w^t Several Ports hath she
made since her being set out upon this Voyage, and when

Lib. H. D. did she Arrive in any of the s^d Ports and how long did she Stay in them, and what Goods were loaded or unladed there, and where was the Lading now in question put on board of her, and when did she set Sail from her last Port Et ffiat vt Supra.

4 Itm Interr quilb^t How many voyages, hath the s^d Ship made Since the p^sent Warr and under w^t passes and to and from what Severall Ports and places and w^t Goods did she Carry in the s^d Voyage and where and by whom laden and where and by whom were the same deliver'd & for whose account Et ffiat ut Supra.

5 Itm Interr quilb^t Whether did the Ship in her Voyage outward bound carry any Armes pieces of Ordinance or any Implem^{ts} belonging to them, ffireballs Powder, Match, Bullets, Pikes, Swords, Launces, Spears, Halberts, Guns, Mortar pieces, Petards, Granadoes Muskets rests ; Bandeleers, Salt Peter, Musket Shott Helmets, Corslets Brest plates, Coates of maile or the like kind of Armiture, Soulders horses, or any thing Necessary for the ffurnit^r of horses Holsters, Belts or any other Warrlike Instrum^{ts} whatsoever to be deliverd in any port or place in the Voyage in question out of the s^d Ship to any p^son or p^sons (If yea) To whom and where and upon whose Acco^t Et ffiat vt Supra.

6 Itm Interr quilb^t In w^t Port or Ports or places was the p^sent lading put on Board the s^d Ship, and what was and is the Nature Quantity and quality of the Lading and of what Growth was and is the Same and of w^t Nation were and are the p^son who put the p^sent lading in the s^d Ship aboard her; and in what Severall places due and do they Severally dwell there, To w^t Prince or State were and are they and every one of them a Subject and who by Name were and are the respective Own^{rs} of the s^d Lading and what particular parts thereof and where doe they Severally dwell, and how long have they dwelt there and whose Subjects are they Et ffiat ut Supra.

7 Itm Interr quilb^t Whether had or have they any share or p^rportion in the s^d Ship or her lading now in question or any part thereof (if yea) What part and to w^t value, where were you borne, and to w^t Prince or State were and are you a subject, and how long have you been there and where is yo^r usuall place of Residence when on Shore Et ffiat vt Supra.

8 Itm Interr quilb^t Whether were there any papers, Dockets Bills of Lading or any other papers or writings aboard the s^d Ship at the time she was taken or at any time Since her p^sent lading was put on board her (if not) Express so much (if yea) where were & are the Same and to whom were they delivered and what is become of them, and if any Papers and writings were Seized in the s^d Ship Let the same be shewed

unto the Witness and lett him be asked if all these pap^r & Lib. H. D.
writings were taken in her and whether these are all the
papers and writings Concerning the s^d Ship & Lading w^{ch}
were on Board her at her Seizure, and whether in truth there
were not double Papers and writings Concerning the s^d Ship
& Lading differing one from another as to the Ship or touching
the Goods of the s^d Ship or Some of them or which of them,
and as to the p^rsons who laded the same, and as to those who
really runn the risq & advent^r thereof, and to whom such
papers & writings were to be deliver'd, and were there not
some papers or writings changed Altered, Torne, Thrown over
board Burnt or otherwise concealed, and where, & by whose
directions was it done Et ffiat ut Supra.

9: Itm Interr quilb^t Whether had or have you any private
directions or Instructions other then were or are contained in
the bills of lading of the s^d Ship for or concerning the s^d Ship
& her lading or any part thereof or Concerning any p^rson to
whom & for whose Acco^t the Same were to be deliver'd (If
yea) What were and are the s^d directions & whether were the
Same by word of mouth or in writing What were and are
the Same If in writing who are they, who wrote the same, and
what was in the Effect thereof Et ffiat ut Supra.

10: Itm Interr quilb^t By what Ship or Vessell was the Ship p. 72
in queōn with her lading taken & Seized and when & where
and w^t is become of the Ship & of the Cap^t or Comānd^r thereof
by which the s^d Ship and her lading was taken and to w^t port
or place was the s^d Ship and her lading brought and where
are the Same at p^rsent Et ffiat ut Supra.

11: Itm Interr quilb^t Whether do you know or have heard
that the Bulk of the s^d Ship hath been broken since the Seizure
or that any of the Tackle, ffurniture, Good Wares and mer-
chandizes, Provisions Iewells, Plate, money or any thing what-
soever which were in the s^d Ship or in any part or place
thereof at the time of her Seizure have been by the Comd^r
Offic^r or Comp^a of the s^d Ship which have made the Seizure
or any of them or by any other p^rson or p^rsons whatsoever
taken out, carryed away from the s^d Ship concealed or any
way Imbezelled the same declare the Nature Quantity Quality
and pticul^r thereof and the Names of the p^rsons who took
the same & in whose possession the same lately were and now
are & whether any person or persons belonging to the s^d Ship
have been since Seizure forced or been set on Shore and who
by Name & where, and w^t p^rsons belonging to the s^d Ship
have been taken out into any other Ship, Et ffiat ut Supra.

12 Itm Interr quilb^t whether have not you the witness or
the Mast^r of the taken Ship or some other of the Comp^a of
Marrin^r & passeng^r in discourse with some p^rson or p^rsons

Lib. H. D. confessed that the s^d Ship taken and her lading or some part thereof and what part did or doth belong to the ffrench men Subjects of the ffrench King or inhabitants & Dwellⁿ within his Dominions & Territories Et fiat or Supra.

13 Itm Interr quilb^t Whether at or upon the Seizing or Chassing the s^d Ship did the Master and her Comp^a or passingⁿ or any of them fire any Gun ffight or make any Resistance against the Man or Warr or Ship that took her and what Resistance was made, Et fiat ut Supra.

14 Itm Interr quilb^t In Case any Witness be Examined touching any Ship or Goods which have been first taken by any Ship belonging to the ffrench King or his Subjects and afterwards have been Retaken or Rescued by an English Ship Let him be asked how long was the rescued Ship in the hands and possession of the ffrench King before the Same was Retaken and whether as there any ffight made in the s^d Rescue or any of the s^d Rescuing Ships Company kill'd, wounded, Maimed, or hurt in the s^d ffight, Et fiat ut Supra.

15 Itm Interr quilb^t whether were you p^rsent at the time of the taking or Surprizing of the s^d Ship concerning which
p. 73 you are now Examined (If not) Express so much (If yea) whether was the Ship so taken A Ship of Warr or private Mann of Warr and how many pieces of Ordnance did the Ship then Carry and whether were the same then mounted upon Carriages in the s^d Ship and whether during the Chase of the s^d Ship so taken or before she was taken, were not some of the peices of Ordnance which were then in her thrown over board (if yea) How many declare the Truth herein Et fiat ut Supra.

16: Itm Interrogetur quilibet de veris causis Scientie Sue &^{ca}

Mr Jennings
Comission out
of the Court
of Admiralty for
putting his
other Comis-
sions in
Execution

Gulielmus Tertius Dei Gratia Angliæ, Scotiæ, Franciæ, et Hiberniæ Rex fidei Defensor &^{ca} Dilecto Nobis Petro Jennings Armigero, Salutem Cum Dilectus noster Carolus Hedges miles et Legum Doctor Locumtenens noster Supreme Curie Admiralitatis nostræ Angliæ et in dicta Curia et Officialis principalis Commissariusq Generalis et Specialis ac Præsidens et Judex ejusdem necnon ad audiendum et terminandum omnes et singulas Causas et querelas quoad Naves et Bona jure Repressaliarum vel belli capta aut Seizita Specialiter constitutus, ad petitionem Procuratoris nostri Commissionem Tibi fieri ad Effectum Subsequentem Subq modo et fforma inferius descriptis Decreverit Iustitia id posecente Tibi igitur harum Serie potestatem concedimus et elargimur ac mandamus quatenus non omittas quin pro quibuscunque bonis rebus

mercibus et mercimonijs necnon pro apparatibus et accessionibus navium quarumcunq quoquo modo pro preda captis vel Seizitis vel imposterum capiendis vel seizandis et ad Maryland et districtus ejusdem aut alios quoscunq portus seu quecunq loca in partibus Americæ vel ad Insulas eisdem Spectantes et pertinentes adductis vel imposterum capiendis vel Seizandis quæ furto auferri tam e dictis Navibus quam e custodiâ tuâ seu Custodum et ministrorum quorumcunq ad prædictorum bonorum custodiam Deputatorum vel quovismodo Subduci contigerit Strictam et diligentissimam inquisitionem et indaginem Omnibus Vijs et modis (quibus id legitime fieri potest) facias et fieri cures ac quascunq personas quæ ad veritatem in hac parte docendam et eruendam necessarij aut opportuni videbuntur Coram Te Comparere facias Easdemq personas et earum quam libet de et Super quibuscunq questionibus Sive Interrogatorijs p'missa concernentibus et precipue de et Super Speciebus Signis Indicijs Numero pondere mensura quantitate et qualitate bonorum mercium Sive Apparatum et Accessionem cujuscunq Navalis quem et quæ furto auferri vel fraude aliquâ abesse Tibi constiterit vel suspectum fuerit per Te eis proponendis vigore juramenti corporalis eorum cuilibet per Te respective deferendi Examines et interrogos Eorumq Dicta et Depositiones in Scriptis fideliter redigi facias ac ubicunq seu in quorumcunq manibus et custodia Sive ex deposito Sive empto Seu alio titulo quocunq per mare vel terram tam infra libertatem vel ffrancheiss quam extra invenies antedicta bona res merces et mercimonia sive Navium Apparatus et Accessiones vel aliquam partem Sive parcellam eorundem Sic (ut præfertur furto ablata vel auferenda vel quocunq obtentu Seu colore Subducta Seu Subducenda eadem Omnia et Singula a Detentoribus eorundem exigas in manus tuas recipias in Inventarium redigas et Sub Salvo et Securo custodias Sequestro donec aliter a Nobis in dicta Curiâ nostrâ in mandatis habueris mandantes quatenus eos omnes et Singulos quos per examinationem vel alijs modis prædictis inveneris, antedicta bona res merces et mercimonia Sive Navium Apparatus et Accessiones vel aliquam partem Sive parcellam eorundem recepissemis nactus esse habuisse aut habere in presenti si eadem Tibi retradere et deliberare vel condignam pro eisd^m compensationem facere renuerint et recusaverint Necnon illos qui harum executioni obstabunt cujuscunq conditionis et Status fuerint, realiter arrestes et per Scapulas capias seu Arrestari et per Scapulas capi facias ac eos Sub salvo et securo custodias donec Sufficientem Cautionem cum ffidejussoribus idoneis interposserint de personaliter comparendo coram Iudice Curiae nostre prædictæ ejusve Surrogato in Aulâ communi Hospitij Dominorum Advocatorum infra parochiam Sancti Benedicti

Lib. H. D.

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Lib. H. D. prope Ripam Paulinam Londini notorie Scituat Centesimo die post Arrestum hujusmodi in hac parte ffactum si juridicus fuerit alioquin proximo die juridico ex tunc proximo sequente horis Causarum ibidem ad jura reddenda consuetis Nobis in quadam Causa spolij ac civili et maritima de justitia responsur. Assumpto Tibi ad præsentium Executionem quocunq Notario Publico fide digno una cum Interprete quoties res Postulaverit ad fideliter interpretandum per Te juramento Onerando vel si Istiusmodi Notarius Publicus haberi non poterit assumptis duobus quibuscunq testibus Literatis in Vestrum in hac parte Actorum Scribam et Registrarium Tibi insuper harum Serie Similem potestatem concedimus et elargimur ac mandamus quatenus non omittas quin per Sacramentum quinq legalium hominum necnon Notæ probitatis et peritiæ per te onerandum de qualitate et conditione seu Statu in pejus Ruate Navium quarumcunq seu quorumcunq bonorum rerum mercium et mercimoniorum Sic (ut præfertur) Captorum seu capiendorum et ad Maryland et Districtus ejusdem aut alios quoscunq portus seu quæcunq loca in partibus Americæ vel ad Insulas eisdem Spectantes et pertinentes adductorum seu adducendorum quæ furto Auferri tam e dictis Navibus quam e custodiâ tuâ seu Custodum et Ministrorum quorumcunq ad prædictorum bonorum Custodiam Deputatorum vel quovismodo subduci contigerit Debite inquiras Necnon quascunq Naves et bona res merces et mercimōia quæcunq sic (ut præfertur) furto ablata et quæ peritura sunt et servando Servari non possunt Capta Seu Capienda per quinq probos et legales homines
P. 75 longa experientia Circa qualitatem et Valorem bonorum Sive Rerum sic appretiandorum et pro peritis in ejusmodi bonis seu mercibus habitos et reputatos per te ad id eligendos ac juramento Corporali de eisd^m fideliter appretiando et Estimando per te onerando fideliter et juste veros eorundem valores de tempore in tempus quoties res postulaverit appretiari et estimari facias et de eisd^m disponas juxta Juris Exigentiam dictasq appretiationes sic factas manu tua et manibus dictorum appretiatorum Subscriptas dictaq et depositiones testium prædictorum totumq et integrum processum coram te habitum et factum Judici Curia nostra predicta ejusve Surrogato debate transmittas Datum Londini in Curia Nostrâ prædicta Sub Sigillo ejusdem Magno Septimo die Mensis Decembris Anno Domini Millessimo Sexcentesimo Nonagesimo Sexto Regniq Nostri Octavo.
Orlando Gee Reg^{rius}

P. 45 On Board his Ma^y Ship the Prince of Orange ffeb^r
the 25th 1696/7.

S^r

In Answer to yo^r letter to any Comander Concerning these ffusees which I fitted for his Ex^{ty} as you took upon trust so

did I without Counting & believe me, I have not made any Lib. H. D.
breach of trust in that particular but such a Number of ffusees
cannot be Drove without Spliting of Some which I Judge in
that Number might Come to 50: or 60: Damnified and some
Worm Eaten which I would not endanger mens lives and
Limbs in driving what was bad which is the truth of the matter
I remain Your humble Servant
Geo: Stewart

Talbot County 21th Jan^{ry} 1696/7.

Mr Smithsons Note to Maj^r Thompson to pay 115^{ll} to Coll: Herman with his receipt thereon Pay unto Coll: Casp: Herman one Hundred and ffifteen pounds Sterl. take his receipt on this note and I will allow you Credit for the same upon yo^r Acco^t to

To Maj^r Jn^o Thompson } Yo^r Loving ffriend
Nav^l Offic^r at Cecill County } Tho^s Smithson Treasurer on the
Eastern Shore

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ffeb. 20th 1696

I accept to pay this Note according to Ord^r
John Thompson Nav^l Officer of Cecill Co:

March the 20th 1696/7.

Then rēcd: of Jn^o Thompson the full Contents of the within
mention'd Ord^r Caspar: A: Herman
Witness John Pierce
Matt. Vanderheiden

Bonds & Certificates dd: A list of Navigacōn Bonds delivered by Coll:
by Coll: Henry Darnall to his Ex^{ncy} ffancis Nicholson Esq
Darnall Cap^t Gen^l & Govern^r in Cheif of his Ma^{ty} Province.
of Maryland, the 19th day of ffeb. 1696. Viz^t

- 1688: Isaack Hulls Bond for the Ketch Dolphine.
- 1688: John Knight for the Ship Encrease of Young hall. p. 54
- 1685: William Wright for the Pink Blessing.
- 1682: ffancis Ellis for the Ketch Rebekah & Ann.
- 1683: Gilbert Livesey for the Sloops Michael & Ann &^{ca}
- 1682: John Holebrook for the Ship Maryland Merchant.
- 1681: Thomas Brown for the Ship Drake
- 1686: Two Notes from Peter Sayer & Nich^o Gassoway for
the Pink Hope William Cutterbrooke Master.

- Lib. H. D. 1687: Note from Joseph Edloe for Denike Francis Mast^r of
a Sloop.
- 1683: John Turner for the Ship Hopewell.
1680: Deliverance Parkman for the Ketch fraternity.
1683: John Hobson for the Marygold of Bridlington.
1683: Ditto another Bond for the Same Ship.
1683: Benjamin Smith for the Ship Arke of Bideford.
1682: Nich^o Gutteridge for the Zebalon of London.
1682: Edward Watkins for the Alatheia of Bristol.
1683: David Barker for the Ship David of Waymouth
1682: W^m Nicholls for the Ship Francis & Mary.
1682: W^m Fisher for the Agree^mt of Bristoll.
1682: John Barracot for the Seraphim of Barnestable.
1682: Thomas Tawley for the Ketch Speedwell of Boston.
1682: Thomas Whitop for the Ship freindship of Bristoll.
1682: John Williams for the Reformatiō of Bristoll.
1682: W^m Play for the Barke Happy Return.
1682: W^m Harris for the Ship Benjamin of Bristoll.
1682: Edward Watkins for the Alatheia of Bristoll.
1682: Thomas Opie for the Rich^d & James of Bristoll.
1682: Thomas Bayley for the Ship Lambe of Leverpoole.
1683: Laurence Sluce for the Ship Delaware Castle.
1683: Richard Thompson for the Bark Vyne of Maryland.
1683: Gilbert Ankley for the Rose & Crown of London.
1683: William Loggen for the Ship Mary of Towey.
1681: Thomas Everrard for the Ship Richard and Thomas.
1683: John Sinclear for the Ship Mary of Waterford.
1683: Abraham Raven for the Hopewell of London.
1683: Robert Lodenham for the Pink Charles of New-York.
1683: Richard Hill & others here for Security for the
Charles of N: York
1683: Edward Robinson for the Concordi of New Castle.
1683: Thomas Higgins for the Sloop Supply of New York.
1683: Robert Lodenham for the Pink Charles of New York.
1683: Edward Robinson for the Concord of New Castle.
1683: Stephen Seargent for the Ketch Sparow of Boston.
1684: John King for the John and Elizabeth of Isle Whight.
1683: W^m Pippard for the W^m & Elizabeth
1683: James Peacock for the Ship Exchange of Stockdon.
1683: Robert Hopper for the Ship Providence of Scar-
borough.
- p. 55 1683: Nich^o Dumare for the Bark James of York;
1683: W^m Davis for the Ketch Mary of Boston.
1683: Thomas Lawley for the Ketch Speedwell of Boston.
1683: Thomas Ridgley for the John & Dorothy of Maryland.
1683: Joseph Hopper for the Sloop Return of New Castle.
1683: John Lyle for the John of Topsham.

Feb^{ry} the 19th 1696.

Lib. H. D.

Recd: from Coll: Darnall at the Councill Board the Severall Bonds mencon'd in this list.

Hen: Denton Cl. Concil:

The following Certificates Return'd from England, Viz^t

1688: John Howells Certificate for Tob^o deliver'd at Kingstone upon Hull out of the Sheild of Stockton.

1688: John Harris Certificates for the Mary of London at ffalmouth where she unloaded.

1687: Matthias Stroopes Certificate for the Endeavour of Stockton at the Port of Stockton.

1688: George Martin Comānd^r of the Ship adventure of Dublin Certificate from London.

1688: John Hurles Certificate for the Amity of London from Cowes.

1688: Robert Hernes Certificate Ipswich for the Ship Endeavour of Lond^o

1688: Edward Watkins Certificate from London for the Ship Margaret.

At a Councill held at the Port of Annapolis the 16th day of March in the 9th Year of the Reign of our Sovereign Lord King W^m the Third &^{ca} Annoq Domini 1696/7.

Present

His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l &^{ca}

S^r Thomas Laurence Baron^t Secry^r }

Coll: Henry Iowles }

Coll: Nich^o Greenberry }

His Ex^{cy} Rep^senting to the Board that having been lately down in Virg^a with the Comōdore and understanding that his Sayling with the fleet is yet uncertain occasion'd his issuing another Order to the respective Coll^{rs} & Nav^l Officers in relation to their clearing Ships Copy whereof was produced and Read as follows, Viz^t

Petuxant March the 12th 1696/7.

His Ex^{cys}
further Ordr
touching the
clearing Ships

S^r

These are in his Ma^{ty} Name to will and Require You that notwithstanding any fformer Orders You do not Clear any Ship or other Vessell from your District before the Masters have Given Sufficient Security to call upon

Lib. H. D. the Comodore in Virg^a And that also after the s^d Comodore is departed from Virg^a afores^d with the p^rsent ffeet, You do not clear any Vessell whatsoever untill you have further Orders so to do I am

Yo^r Loving ffriend
ffr : Nicholson

You are also hereby permitted to clear any Vessel before the departure of the Comodore which is yet uncertain upon giving such Security as afores^d Notwithstanding former Orders.

ffr : Nicholson

Drawn up by Order the following Proclamacōn for a publick thanksgiving, upon the Receipt of Some News lately brought from England; w^{ch} by his Ex^{cy} was here produced & Read, Viz^t

By his Ex^{cy} the Cap^t Gen^l &^{ca} A Proclamation
ffor a Publick Thanksgiving.

Maryland ss

A Proclamacōn
for a Publick
Thanksgiving

Whereas by intelligence Rēcd: from England of his Ma^{ty} safe Return from fflanders, and of a happy discovery and defeat of a late designed invasion by the ffrench upon one or more of his Ma^{ty} Kingdoms, And also by a Gazette of October the 22th in w^{ch} is his Ma^{ty} most gracious Speech to both Houses of Parliam^t as also by the humble Address of the R^t hon^{ble} the House of Commons to the Kings most Excellent ma^{ty} Copyes of which I have herewith Sent you, which I do hereby in his Ma^{ty} Name Command you to publish with this Proclamacōn, by which I am informed of the happy Agreem^t betwixt his Sacred Ma^{ty} and his Parliam^t which great and Continued blessings on his Ma^{ty} Royall p^rson and Kingdoms do call for our publick and solemn acknowledgm^t I have therefore thought fit (by Advice of his Ma^{ty} hon^{ble} Councill) to issue this my Proclamacōn hereby appointing and Commanding, that a Gen^l Thanksgiving to Almighty God for these his mercys be observed by all his Ma^{ty} Loving Subjects within this Province, on the 13th of May next; and to implore God Almighty's protection on his Ma^{ty} Royall p^rson, and Victorious Success to his Armies and ffleets, And that the Same may be more solemnly perform'd I have (by Advice afores^d) thought fit to order that the Prov^l Court be further Adjourned and put off untill the s^d 13th of May (Supposing also that the long Stay of the ffeet through meanes of the hardness of this last winter may be inconvenient

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for the s^d Courts meeting sooner & other Reasons) and the s^d Court is hereby Adjourn'd accordingly, Comāding all the Justices thereof, and Grand jury, to be precisely here on that day for the better Solemnizing the same, and th^t in all parishes where Ministers are Resident, the s^d Ministers doe Read Divine Service and preach, and where there are no Minist^r that Divine Service be Read, Strictly charging all p^rsons whatsoever within this Province to abstain from Servile and Corporall Labour on that day, and Religiously to keep the same, whereof the Severall Sherriffs are to give due Notice, by making Proclamacōn, hereof, in all Churches Chappells and other publick places of meeting, within their respective Counties. And whereas by Virtue of an Ord^r of my Self and Councill passed in December last, Severall p^rsons have been p^rceeded ag^t by his Ma^y Attorney Gen^l here for their non Compliance in the Duty of their respective Offices pursuant to the directions of Severall Acts of Assembly and Orders of Councill issued. And fforasmuch as I have Rēcd: some reasonable Excuses both verball and written from divers of the parties Concern'd since such process issued alleadging their deficiency of not rightly understanding or being throughly advised in those matters and that the same was not done out of any Contempt, which allegacōns I hope may prove true, But more especially taking into Consideracōn the happy News of his Ma^y health & prosperity &^{ca} before Recited, I do (by advice afores^d) hereby Signifye and Ord^r that a ffinall Stop be put to the s^d process, Provided the parties Concern'd do Still make due Compliance in performing the severall matters and things, by the s^d Acts of Assembly & former Ord^r of Councill injoynd them (for which they are proceeded ag^t) by the ffirst day of the next provⁿ Court, and not otherwise, whereof the Severall Sherriffs are to give due Notice and conform themselves accordingly, and to the End a future better observance may be made of all Laws Acts of Assembly and Orders of my Self and Councill, the Sherriffs are likewise to give Notice to all the Justices, Vestrymen, Overseers of the high ways & other Officers within their respective Counties whom any of the Laws of England Acts of Assembly of this Province, or Orders of Councill do or may more imediately concern that they go to the Clerk of the County Courts where they live and there p^ruse the Laws of this Province as also Consult the Laws of England and likewise take Copy from the Sherriff of what Orders of Councill may relate to or Concern them to which if they make due & Constant Compliance they need not fear any molestacōn or trouble, Otherwise they must expect to be proceeded ag^t according to Law; Given at the Port of

Lib. H. D.

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62 *Proceedings of the Council of Maryland, 1696/7-98.*

Lib. H. D. Annapolis, under the Board Seal of the Province this 16th day of March in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca}

Annoq Domini 1696/7

God Save the King. ffr: Nicholson

On the Back of the s^d Proclamacōn was thus written Viz^t The Sheriffs are likewise Ordered to give Publick notice how that the Court of Chancery and the Govern^r and Councill for hearing Appeals and Writs of Error will Sit at the End of the next Provinciaall Court pursuant to an Order of my Self and Councill of the 9th of Dec^r past.

ffr: Nicholson

It being Rep^sented that the State House Work was much neglected; a L^{re} thereon was drawn up, in Ord^r to be sent to Coll: Herman, as follows Viz^t

Port of Annapolis, March the 16th 1696/7.

His Ex^{cy}s L^{re}
to Coll Herman
abt the State
House &^{ca}

Coll: Herman.

I do admire you should so trifle with the Countrey in yo^r extraordinary delay about the State House Work, which for ought I see is not likely to be ffinish'd this half year yet, at the rate of yo^r manner of proceeding; besides the damage which will Ensue for want of the House being done—The Records lying in a very great danger to be spoyle^d by gusty weather and exposed to the hazard of burning in the place, they are now lodged, and the Countrey put to further Charge for House Rent—This comes therefore Express to acquaint you th^t if you don't forthwith come down & bring all workmen & materialls necessary for ffinishing thereof, so that it may be fully compleated by the 13th of may next (having deferr'd the prov^{ll} Court till then for yo^r gaining time) you must expect to be Arrested in an Action of 2000^{ll} sterl. in behalfe of the Countrey & in the interim I shall take Care to imploy men to ffinish it—Yo^r imediate Answer is Required hereto from

Read & Approved off, in Councill. ffr: Nicholson

H. Denton Cl. Concil.

A L^{re} from
Mr Povey
Read in
Councill &^{ca}

Read a Letter by his Ex^{cy} Rēcd: from the hon^{ble} John Povey Esq Dated at Whitehall the 27th of August last past thereby intimating that M^r Chilton and M^r Randolph being not able to give any certain Acco^t of the Value and Currency of Coynes in Maryland was a Reason nothing has been done therein as yet;

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as also Signifying that Addresses has been sent from the Govern^{mt} of Virg^a & New York upon the late conspiracy happening but th^t none had been Rēcd: from Maryland—As to the ffirst they do for Answer say that the Currency of Coynes is stated in the Act and therefore don't know how to Express the same in other terms, but was Wholy left to his Ma^{ty} Royall pleasure; And as to the Addresses, it was thought most proper to be done in an Assembly who were called on purpose and Addresses accordingly prepared and sent in Cap^t Barbar who miscarried, and Duplicates afterwards made, but had no oportunity of sending them Since, till this ffeet.

Having Signified also that an End is put to the New York Affair which he hopes will be to the generall Satisfaction & liking of the Countrey &^a They will take Care to Communicate the same to the Assembly at their meeting as well as the other Matt^{rs} and will Continue to Recommend to them to make him a suitable Return for what he has done already and shall hereafter do for the Service of this his Ma^{ty} Province.

Order abt the
News sent
from New
York to be
Enter'd.

Read a Letter by his Ex^{cy} Rēcd: from his Ex^{cy} Coll Benjamin ffletcher Govern^r of New York Dated the 23^d day of January last past and another from the Clerk of the Councill of that Governm^t Dated the 8th of ffeb^{ry} next following together with some written & printed News; Ordered that the same be Enter'd in the Councill Book; the which followes in these Words, Viz^t

Gov^r ffletchers S^r
Lre to his
Ex^{cy} abt
pacquets Rēc
from White-
hall &^a

By the way of Boston I had three Pacquets from Whitehall under Cover of which you had one its transmitted with all the hast I can, and hope it will Reach you by the hand of my very worthy Old ffriend Coll: Robert Quarry.

I can give yo^r Ex^{cy} no News from hence; the weather is so hard that Count ffrontinack may keep his promise of attacking this place if his Stomack be up.

I have directed M^r Jamison to send your Ex^{cy} the trifling Accurrencies Since my Arrivall here, I am

Albany Jan^{ry} 23th
Maryland.

1696/7

S^r
Your most humble Servant
Ben: ffletcher

Lib. H. D.

May it please yo^r Ex^{ncy}

Clerk of the
Councill L^{re}
to his Ex^{ncy}
abt a packet
by Coll
Quarry &ca

Letters from Albany of the 23th of Jan^{ry} give
to understand that Garrison is in Safety and of
his Ex^{ncys} Welfare there.

In the packetts from Whitehall directed to his
Ex^{ncy} our Gov^r by the ffalkland were inclosed one
for yo^r Ex^{ncy} which his Ex^{ncy} does Recommend to the Gentl. of
the Councill here to be committed to Coll: Quarries care
I am likewise directed to transmitt the Indian intelligence,
Copy whereof is inclosed and am

May it please yo^r Ex^{ncy} Yo^r Ex^{ncys} most Dutifull &
most humble Servant p Ord^r

New York ffeb^{ry} 8th 1696/7
Gov^r Maryland.

David Jamison Cl. Concil.

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At Albany Jan^{ry} 14th 1696/7.

Propositions made to his Ex^{ncy} Benjamin ffletcher Cap^t
Gen^l and Govern^r in Cheif of his Ma^{ty} Province of New
York &ca by the Sachims of the Scotch kaohe River Indians.

Present

His Ex^{ncy} the Govern^r

Coll Peter Schiuyler of his Ma^{ty} Councill }
Docto^r Dellius minister of Albany }
John Schiuyler Esq Aldermⁿ of Albany }

A Copy of
News sent
from New
York to his
Ex^{ncy} by the
Clerk of the
Councill there

Father Cajenquiragoe.

We Come unto you to make our complaint and
to lay before you the wrong and injury the people
of New England have lately done to some of our
Broth: in apprehending ill treating and executing
(not only upon Malice but ill ground of Suspicion) two of
them the Report we Received it as followes Viz^t

Some weekes agoe a party of New England men with Eight
morekans (Indians that inhabite on the Sea Shore) found
between Hatfeild and the mill a Christian kill'd Scalpt and
his Shirt and coat cutt up his stockins & shoes taken away,
when the News of this Came to the Village a party of
Christians with the s^d morekans went out to seek after the
murderer and pursuid a Tract so ffarr till they had lost it and
their provisions being alsoe spent were forced to Return the
same day. The day following the same party taking more
provisions went forth and found the tracts again which brought
them to the ffoot of the high bergh where they spyed Severall
tracts but all divided whereupon the s^d party dispersed them-

selves severall ways and some of them finding a little hutt thereabouts which four of our Brothers had made for their conveniency of hunting they immediately surrounded it where they Surprized three of the Brothers (the ffourth being out a hunting) and straitway tyed them soon after the ffourth Brother returning and Coming Nere the s^d hutt heard a noise which he apprehended to be the ffrench Onnogunge Indians and th^t their House was cutt off upon which he made the best of his way to Hatfield where there was then 20: or thirty of their Women and children whom he inform'd that his three Comerads were killd by the Enemy. In the mean time the English tyed two of the Brothers to a tree and whipt them severely to make them confess the youngest first being ab^t thirteen or ffourteen Years of Age named Pamaranessit twice he possitively told them he knew nothing of the matter they took him a third time and lashed him soe cruelly that he was not able to live under it so to ffree himself from such continuall punishm^t he Cryed out and say'd it was the Brother that was out a hunting that did the mischeif upon which informacōn they ceased from Whipping him any longer and upon the Confession of the Boy the English calld the principall of the Morekans and Say'd unto th^m you would not believe these Indians had done this murder but Come and hear their own confession whereupon they replyed its true the boy confesses but its forced from him by the severity of the Strookes he has Received. Lib. H. D. p. 469

After this the English whipt Quinepack (aged ab^t 30 Years) very Severely to make him also Confess the same but he Answer'd them you may whip me as long as you please, I am not a boy as the other but a Soldier We serve the same God, if you'll take my blood upon you, you may kill me if you please or burn me in the ffire; it shall not make me confess a false thing.

The English and their parties returning to hatfeild found Marrinus (ab^t 23 Years of Age that Brother which had been out a hunting there who was Accused by the Boy whom they immediately pinnoned together with Manquocklas (one of the three Brothers taken in the Hutt (about 20 Years of Age) and Caryed them to Hadley where they tyed both the Brothers to a tree with a linnen cloath over their Eyes.

The English used many ways to fforce a confession from them but they always answer'd we are innocent and if you'll take our blood upon you we are Contended; and so they were both Shot to Death.

Our other two Brothers are still Confined prison^m at Northampton in New England.

Father Cajenquirago.

Lib. H. D. . It is no more than hatred and malice that the English of that Colony has against us for this Summer the ffrench Indians had killed two Christians at Deerfield and Carryed away ffour prison^r they laid that mischief also upon us but it is now well knowne that the Same party upon their Return to Canida kill'd Juriaen & Sence others of the ffive Nations.

Father Cajenquirago.

We begg that we may have Satisfaction for this injury done us and that our two Brothers now in Custody may be Released and the rest of our people sent Home to Us in Safety.

Interpreted from the Dutch by me

Dellius.

His Ex^{cy} Reply to the Sachims of the Riv^r Indians. Children.

I have heard what you now have Say'd but cannot p. 470 believe it.

I formerly Commanded you not to goe into those parts and told you the penalty. If your Brethren have been guilty of that murther which I believe will be made Evident, Justice has passed upon them under which you must acquiese.

In the mean time I Command you, not to goe into that cuntry, I will inquire further, and then send for you.

Cop : Vera : David Jamison Cl. Concil.

A Message from his Ex^{cy} Coll: Benjamin ffletcher, Cap^t Gen^l and Govern^r in Cheif of his Ma^{ty} Province of New York &^{ca} To the ffive Nations of Indians.

Sent by Sagaedaieendon, an Oneyde Cap^t with a Belt of Wampum.

Brethern

I let you know by this Bearer Sagaedaieendon, and this belt of Wampum which I send you, that I am at Albany, to adjust my Duty to the great King of England my Master, and to Answer the desire of his Subjects in this place ; To assert the Regard I have to the Covenant Chain by covering you, my Brethren, from the Insults of the ffrench Govern^r of Canada and by defending Albany.

You must not therefore be ffrightened by Threats or Brags of Onondio, that Govern^r, but follow my directions, by which you will be Safe.

Keep out good Videts and Scouts, that you be not Surprised, as formerly. That ffrench Govern^r cannot hurt you, if you are awake and have Armes in yo^r hands.

Suffer not yo^r Young men to hunt too ffarr from home, and always have messingers ready for an imediate dispatch to them, upon any approach of the Enemy.

To the Brethren of the Oneydes, with Seven hands of Lib. H. D.
Wampum by the Same Messinger.

Brethren Oneydes.

I was very much Surprized (upon my Arrivall at Albany) to hear, that you Suffered two Indians sent from Onondio, the Govern' of Canada, to Return from that place, before they were brought to me, which is not according to yo' Promise made, When I last saw you.

You then told me, you would send those Indians to me, that I might examine them, and know what Message or Business they had.

But I hear they have carryed away some of yo' flamilies into the ffrench Governm^t.

And Since you have (contrary to yo' promise) Suffered those ffrench Indians to goe back, I Require you to let me know their Errand, what proposalls they make to you, and what answer you return'd to them.

And for the ffuture, I do expect that you hold no Correspondence with the Govern' of Canada, or receive any Message from him or his Indians.

And in Case any of yo' Brethren should be drawn off by ^{p. 471} those Indians, or other the ffrench, or desert yo' Castles, that you should pursue them without loss of time, and treat them as Enemies; Given at Albany November 25th 1696.

Signed

Ben: ffletcher.

Sagaedaieendon, Oneyde Cap^t returned ffrom the ffive Nations, to his Ex^{ty} Coll: Benjamin ffletcher, his Ma^{ty} Cap^t Gen^l and Govern' in Cheif of the Province of New York at Albany, with his following Answer December 22th 1696.

Cajenquirago.

I Delivered the Belt of Wampum I received from you for the ffive Nations, with the Message to the Mohaques, Oneydes, and Onondages, the Cajouges, & Sennekes (the ffarthest Nations) not being p'sent but the Brethren have sent it forward to them, by a sure hand.

You are to Expet an Answer upon it from the whole Canasoeni (i: e. the whole ffive Nations) in the mean time the afores^d Three Nations return you their hearty Thanks for yo' good Advice, to send out scouts, and to keep their young men near Home, which they will observe; and if attacked by the Enemy, will stand their ground; and if you are, shall be ready to Come to your Assistance, if Required.

Cajenquirago—I delivered the Seven hands of Wampum with the message you sent by me particularly to the Oneydes.

Lib. H. D. ffirst, They told me they were very Sorry to hear you should be troubled about ffrench messingers: They say, its true, they were in their Castle, and drew off with them, ffive men and ten or twelve Squaws, but they were all Affected to the ffrench, their Relacōns being in Canada.

That if any such thing shall happen for the ffuture, according to yo^r directions, will pursue and treat them as the Enemy.

That the Proposicōns made to them by the messing^r from the Govern^r of Canada, was.

Children.

By my last March in yo^r Country I only whipt you a little would not kill you.—And I must tell you, if you hold obstinate, and not Submit yo^r Selves to me Speedily, but will depend upon Cajenquirago, and take his Advice longer, I will come and destroy you; therefore you had best leave yo^r castles and repair to Kagnovego (i. e. a Small ffort near Mount Royall) where you may live as well, and have the same priviledges as you have, where you are now.

Children, I must farther tell you I will Come this winter and cutt off Albany, ffight Cajenquirago, and kill him; therefore
p. 472 let me Advise you, never to have more dependance on him.

They Answered Onondio, meaning the Govern^r of Canada. You talk of killing Us, but we are yet alive, and never had yet the oportunity of a ffair battle with you.

If you can kill Cajenquirago, and destroy Albany, as you tell us, we shall then be at some loss what to do; but we believe, if you Venture to ffight Cajenquirago, he may have as great strength as you, and will keep his ground.

Therefore as long as he stands upon his legs we will be firm to him and depend Vpon him, but if he fall, or leave us, possibly we may come over to you.

I certifye that this is taken by me from the Indian Interpreters, as it was Rendered in Dutch.

Dellius.

An Answer to the two foregoing Letters is as follows Viz^t

Port of Annapolis, March 22th 1696/7.

His Excy^s
Lre to Go^r
of New York

Gov^r ffletcher.

Sr.

I have the ffavour of yo^r Ex^{cy}^s Letters of the 9th 10th & Jan^y 23^d as also of one from M^r Jamison of ffeb^y the 8th with a Copy of Indian Intelligence and a printed Acco^t of yo^r Ex^{cy}^s Message to the ffive Nations all which I have Communicated to his Ma^{ty} hon^{ble} Councill of this Province I am very Sorry

that you have had at Albany so long and sharp a winter: but no doubt yo^r Ex^{ncys} being there hath hindred Count ffrontiniack's resisting those parts; for he could not be sensible how hot a Reception you would have given him after his cold March. I am in hopes th^t before this, (yo^r Ex^{ncys} is aforehand to New York) and in perfect health, after so long and troublesome a fategue—I have an Acco^t that the Ship which saild from hence in the ffall and Carried yo^r Ex^{ncys} pacquets, was Safe Arrived at ffalmouth in October last, and I am to thank you for sending me my pacquet which came under yo^r Ex^{ncys} Cover from Whitehall; but it was of an Old date; We are in dayly hopes of the Arrivall of the two men of Warr, which you will see by the inclosed News which Came by the last Ship are design'd to strengthen our Convoy This day I design (God willing) for Virginia, in Order to send my Letters: for I suppose the fleet will not sail till towards the middle of Aprill, and perchance, if those men of Warr come in (not so soon) I don't know whether yo^r Ex^{ncys} has as yet seen the Kings Speech and the Address of House of Commons; so they are herewith sent you by him who is

Yo^r most humble Serv^t

Postscript.—If please God I meet with
any late News; upon my Return, it shall be
dispatcht to yo^r Ex^{ncys} by
ffr. Nicholson

ffr: Nicholson

Port of Annapolis, March 22th 1696/7. P. 473

His Ex^{ncys} L^{re}
to Mr Jamison
Cl. of the
Council in
New York.

Mr Jamison
S^r

I am to thank you for yo^r of ffeb^{ry} 8th with the inclosed paper concerning the Indians, which you sent by Order of his Ex^{ncys} yo^r Gov^r as also for my Small pacquet from Whitehall.—I have by this convenience sent Gov^r ffletcher the News which Came by our last London Ship.—If I can be any way Serviceable to you in these respects, upon Notice it shall be done by

Your Servant
ffr: Nicholson

March the 17th 1696/7.

The Councill again Sate and were p^resent as Yesterday.

A memoriall
Read in Coun-
cill abt the
Post Office in
America

Read a memoriall by his Ex^{ncys} the Gov^r Rēcd;
from Coll: Andrew Hamilton touching the post
Office in America, Dated ffeb^{ry} the 9th 1696.
Ordered that the Same be Referred to the Con-
sideracōn of the next Assembly.

Lib. H. D. A Lr read in
Councill from
M^r Brechin
Minister in
Somerset
County

A Letter being Read, from the Reverend M^r James Brechin a Minister of the Church of England in Somerset County therein Complaining that he has not his dues according to Act of Assembly, this Board does say that they don't find by any Law of England or of this Province that any dissenting Minister can be admitted to Receive the 40 p poll: Ordered therefore that the s^d M^r Brechin have Right and Justice done him pursuant to the Laws of England and of this Province.

A Lre Read in
Councill in
relacōn to
Trade &ca
p. 474 His Ex^{ty} having formerly Recd: a L^r from the hon^{ble} Edward Randolph Esq one of his Ma^{ty} hon^{ble} Council of this Province and Survey^r Gen^l of his Ma^{ty} Customs, Dated the 16th day of May last, that he with other p^rsons in each Governm^t was to Administer the Oath appointed to be taken by the late Act of Parliam^t Anno Septimo et Octavo Gulielmi tertij Regis intituled an Act for preventing ffrauds and Regulating abuses in the Plantacōn Trade unto his Ma^{ty} Govern^r on the Continent of America, which is the Reason he hath not taken the s^d Oath before, expecting the s^d Esq Randolphs coming; but the time of the s^d Act for taking the s^d Oath being near expired he does in p^rsence of his Ma^{ty} hon^{ble} Council take a Solemn Oath upon the Holy Evangelist that he will to the Utmost of his Power; how that all the Clauses, Matters and things Contained in the afore recited Acts of Parliam^t here to fore passed and now in fforce, Viz^t One Act of Parliam^t made in the 12th year of the Reign of the late King Charles the Second intituled, an Act for increasing of Shiping and Navigacōn another Act made in the 15th Year of the Reign of his s^d late ma^{ty} intituled an Act for Encouragem^t of Trade, another Act made in the 22th & 23th years of his s^d late Ma^{ty} Reign, intituled An Act to prevent the planting of Tob^o in England and for regulating the Plantacōn Trade, Another Act made in the 25th Year of the Reign of his s^d late Ma^{ty} intituled an Act for the Encouragem^t of the Greenland and Eastland Trades and for the better Securing the Plantacōn Trades, relating to the s^d Colonies & plantacōns and that all and every the Clauses contain'd in this p^rsent Act be punctually and bona fide observed, according to the true intent and meaning thereof.

So help me God.

Ordered that the respective Navall Officers within this Province, do pursuant to the directions of the s^d late Act of Parliam^t intituled an Act for preventing ffrauds and Regu-

lating abuses in the Plantacōn Trade give Security for their Lib. H. D. places.

Ord^r abt Coll: Whereas in the year 1695: the Assembly had Thomas to Omitted to Assess or appoint what Tob^o should pay the Chan- celors Tob^o be allowed to the hon^{ble} Coll: Henry Jowles Chancello^r for writing and Sealing the Laws of three Assemblys w^{ch} notwithstanding he put in for the Same in the publick Leavy of Baltimore County that year, which was accordingly allowed him by the Commⁿ of that County Court as also for Seal to two County Commissions there, but being by an Order from this Board Dated the day of Stopt till further Order Recd: And fforasmuch as the s^d Coll: Jowles hath now upon his application set forth how th the Assembly have since settled what he should take for the s^d Laws Viz^t 1480: pounds of Tob^o for Each body and that the seal for the two s^d Commissions is not yet Satisfied; Ordered therefore that Coll John Thomas former Sheriff do upon Sight hereof Satisfye & pay out of the publick Tob^o of the s^d County lodged th^t year in his hands what legally can be claimed by the s^d Coll: Jowles; notwithstanding any former Ord^r from this Board to the Contrary.

Somerset County Read a Paper of Greivances Rep^sented from the Grand Jury of Somerset County Court, And Greivances recommended to the Assembly. for Answer his Ex^{cy} say's that he is very sorry that they lye und^r so many Greivances & is very much troubled, that he cannot at present Remedy them, but th^t God willing will Recommend them to the Assembly when they sit and would have them give these Greivances in Charge to their Burgesses that Acts or Ordinances of Assembly may be passed to Redress th^m p. 475

Ordered that the Same be sent to the Sherriff of the said County to be made publick.

A Schedule of what Goods was brought in our Boat, Viz^t

Goods Seized in a boat by Maj^r Thompson & Ord^r thereon. One Cagg of Rum containing 9: g^{lls} 1: half barrel of Beer 1: Ditto half out or thereabouts 2: Runletts Ditto, of 2 gall^{ts} each 1: p^t & ½ of Spirits 1: p^t & ½: of Sugar'd Rum 1: p^t bottle of Rum & Sirup mixt 13: p^t of Gloves 1: ffishing lyne 1: knife & forke 3: small peices of Lead 1: Barrell of Bisket 1: pot and pothooks 1: fowling Peice and Amunicōn 1: Small Glass bottle-2 Chests and a Small box 1: large Cake of Ginger bread 10 Dollars 5: Cask of Sug^r containing upwards of 800: weight. All which aboves^d Goods were Seized and still

Lib. H. D. detain'd by M^r John Thompson together with the Boat, Sailes, Ancker & Cable &^{ca} the 6th day of this instant March 1696/7 for which your Peticōnⁿ humbly Submit themselves to your Ex^{ncy} for Redres.

The Peticonⁿ humbly Pray that the above Goods, and boat &^{ca} may be appraised & they admitted to give security to stand Tryall and answer the Appraised Vallue if Condemned, but that the Goods upon giving such Security may be Restored to them by the Officer.

By his Ex^{ncy} the Govern^r & Councill &^{ca}
March the 16th 1696/7

Ordered that the within Goodes, Boat &^{ca} be restored to the Peticōnⁿ they giving Security according as is prayed.

By his Ex^{ncy} the Govern^r & Councill &^{ca}
March the 18th 1696/7.

Mr Plater to
deliver the
bills of Exa
to Maj^r
Dorsey.

Ordered that George Plater Esq Coll^r & Receiver of his Ma^{ty} Customs of Petuxant District do upon Sight hereof, Deliver unto Maj^r Edward Dorsey or Ord^r Coll: Birds bills of Exchange sent by his Ex^{ncy} S^r Edmund Andros amounting to 200 & odd pounds being part of the 300 pound by the s^d S^r Edmund Refunded to this Governm^t 200 whereof was by an Ordinance of Assembly assigned towards the Building the free Schole for which s^d Vse the s^d Maj^r Dorsey is hereby authorized to Receive the Same; and as to the other bills Sent by the s^d S^r Edmund and now Remaining in the s^d M^r Platers hands; Ordered that he remit them for England to be lodged in M^r Perrys hands for the Vses by a former Ord^r directed; and as for the odd money that is over and above the 200^l he is to give directions to M^r Perry to keep it.

Signed p Ord^r

Hen: Denton Cl. Council.

Maryland: ss

Ordr abt Mr
Wilkinsons
taking of Tobo
to load the
Ship Edward
& Dudley.

Whereas W^m Wilkinson merchant & ffactor for the Ship Edward & Dudley, Robert Bradley master and the Ship Providence George Keeble master (both belonging to Edward and Dudley. Carleton of London in the Kingdom of England Merch^u) hath humbly Signified and set forth unto me how that being sent into this Province to load the s^d Ships with Tobo and so Return

with the fleet, has accordingly Endeavoured the Same as much as in him lay; but finding that through the Severity and Excessive Sharpness of the Winter Season he cannot accomplish to get them both loaden & full ready to Saile with the fleet; however is desirous th' the first mentioned Ship may (according to his Orders from the Owners Recd:) be got Ready, which he is not able to Effect but by taking the Tob^o the Ship Providence hath on Board & put it in the other Ship. Lib. H. D.

And for as much as he hath also Signified & Complain'd how th' (as well for the good & benefit of the Owners as the fulfilling their directions & Ordⁿ) he did apply himself unto Cap^t George Keeble for the delivery of the Tob^o put on Board his Ship to help forth the loading of the other, the s^d Keeble hath refused a Surrender thereof, out of pretence th' his men are unwilling thereto; And having taken into consideration the great Damage the Owners may Sustain through the Obstinacy of that Ships Company disobeying their Employⁿ just & Legall Commands, I do therefore hereby Strictly Ord^r that the s^d George Keeble and all the Mariners belonging to the s^d Ship Providence Do (upon Sight hereof) peaceably Suffer the above Named Will^m Wilkinson or his Ord^r to take forth the Tob^o he hath put on Board the s^d Ship in Ord^r to the forwarding the Loading of the Ship Edward and Dudley aforementioned pursuant to the Owners will & desire in th' behalf, and upon the s^d Keeble or any of his Ships Company being refractory, or obstinately refusing so to do I do hereby in his Ma^{ty} Name Command the Sherriff of Prince Georges County forthwith apprehend & take into his Custody the party delinquents so th' he have them before me at the port of Annapolis to Answer the p^rmisses, with all possible Speed, as he will Answer the Contrary at his perill; for which this shall be Sufficient Warrant and Ord^r given under my hand & Seal this 11th day of febr^y in the Eighth year of his Ma^{ty} Reign &^{ca} Annoq Domini 1696.

To the Sherriff of Prince Georges County }
or others whom it may Concern. These }

Mem. there was a Clause inserted in the above Ord^r issued to the Sherriff th' allowance should be made to the Seamen for their trouble, &^{ca}

Maryland ss Francis Nicholson Esq^r Cap^t Gen^l & Cheif Govern^r of his Ma^{ty} Province of Maryland & the Territoryes thereunto belonging and Vice Admirall of the Same &^{ca}

To all Persons to whom these p^rsents Shall Come.
Greeting.

Lib. H. D. Coll: Darnalls
 Pass to go
 for England

Know Yee that whereas his Ma^y by his Royall Order in Councill bearing Date the 23rd day of febr^y Anno Domini 1692, has been pleased thereby to Command that the Lord Baltemore Should be permitted
 p. 497 (without any disturbance or interruption) to Collect and Receive, by such p^rson or p^rsons as he should thereunto Authorize & Appoint Severall Sum^s of money and Tob^o accruing to his s^d Lordship (within this his s^d Majesties Province) as Proprietor of the Same; And forasmuch as it hath been made appear unto me by Henry Darnall Gentl. (the Bearer hereof) how that he is here legally Authorized by his s^d Lordship for looking after & managing all his Concerns and Receiving his Rents & Dues &^{ca} And withall hath Signified his intentions of going for England this fleet in Ordr^t to Settle & make up his Acco^{ts} with his Lordship there desiring Some Certificate thereof from this Governm^t whereby he might not be Retarded in his passage thither. These are therefore to Certifye that due Satisfaction hath been here given by the Bearer (as above) concerning the p^rmises, who is hereby permitted to Ship himself on Board and depart this Province accordingly without any molestacōn or hindrance whatsoever, provided he hath fully complied with the Law of this Countrey in Such Case; desiring all his Ma^y Loving Subjects to whom this shall Come to Suffer the s^d Henry Darnall to pass unto his s^d Lordship without any interruption to the End and purpose intended; In testimony whereof I have Caused the Broad Seal of this his Ma^y Province to be hereunto Affixed this 17 day of March in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1696/7.

Maryland ss

francis Nicholson Esq Cap^t Gen^l & Cheif Govern^r of his Ma^y Province of Maryland & the Territories thereunto belonging and Vice Admirall of the Same &^{ca}

To all p^rsons to whom these p^rsents Shall Come, Greeting.

Mr ffeilders
 Pass to go
 for England.

Know Yee that Thomas ffeilder (the Bearer hereof) of the Province afores^d Carpenter, being employed here, in the Erecting of Severall publick buildings and Edifices within the Port of Annapolis Viz^t a Church, State House, free Schole &^{ca} is Sent from this his Ma^y Governm^t for England to purchase Severall Materialls Necessary and proper for the Carrying on and Compleating the s^d Buildings; Suffer therefore the s^d Thomas ffeilder to pass for England and Repass ab^t the s^d & other his lawful

occasions without any let molestacōn or hindrance; his Ma^{ty} Lib. H. D.
Service and intrest being therein more imediately concern'd.
In testimony whereof I have Caused the Broad Seal of this
his Ma^{ty} Province to be hereunto Affixed this 17th day of
March in the Ninth Year of the Reign of our Sovereign Lord
King William the Third &^{ca} Annoq Domini 1696/7

March the 3^d 1696/7.

P. 45

Then Recd: of Henry Denton Clerk of the Councill (by
Ord^r of Cap^t Richard Brightwell Comander of the Rangers in
Potomock) these following Arms & Acoutrem^{ts} &^{ca} Viz^t Ten
sadles and Bridles with Caps for Carbines Ten Carbines &
belts Ten pair of Pistolls, Ten Cartouch boxes and belts and
Ten byonets and belts for the Vse of the Rangers. Recd also
at the Same time fferty one yards of blew Duffells & Twenty
one Yards of Red ditto to be disposed off by Cap^t Brightwell
for Skins and ffurs for the Govern^r vse to go out by this ffleet:
I Say Recd by me

Witness hereof.

his
James Waple
Mark

W^m freeman
Charles Hartgill

I find upon the Acco^{ts} of the ffusees by me taken, that there
are 126 wanting, having Sent away to Cæcill, Talbot, Dor-
chester and Somerset Counties Sixty to Each County (accord-
ing to former Division) before I discovered what were want-
ing.

Hen: Denton

ffusees Sent away as above	240
To Remaining Still in my Custody	234
ffusees missing upon the Acco ^{ts} taken	126

600

Hen: Denton

Mem: that for the Six Counties on this side the Bay there
is left of the ffusees above mention'd according to the Division
of the Same, but 39 to each County.

Vpon inquiry made of the Man of Warrs Gunner (by Order
of his Ex^{ty}) concerning the ffusees brought in &^{ca} he gave me
the following Acco^t Viz^t

The ffusees are good of the Sort, but are not made to fire at
a blast therefore they must be fired by the hand; the Mortar
being placed upon the ground and the powder in the Chamber,

Lib. H. D. there must be turfe or Earth put thereon to raise the Shell so
 p. 46 farr as to make the ffusee come Levell with the Mouth of the
 Mortar ready to ffire, the ffusee being set on fire, then fire at
 the Venture. The Priming to be of Meal Powder to be mixt
 with any strong Spirits, Viz' of wine or Rume &^{ca} ffusees to
 fire with a blast, can give no other description of them save
 that they are broad at the top and holes bored a cross for the
 quick Match, the quick match being drawn through the holes
 must hang down on each side the shell to take the fire from
 the blast of the Peice.

By his Ex^{ncy} the Cap^t Gen^l A Proclamacōn.

A
 Proclamation
 about
 Marriage
 Lycense &c:
 Whereas his Ma^{ty} hath been graciously pleased
 by one of his Royall Instructions bearing date at
 Whitehall the 8th day of March 1693/4 under his
 Royall hand and Signet to impower me ffrancis
 Nicholson Esq Cap^t Gen^l & Govern^r in Chief in & over this
 his Province and Territory of Maryland in America to grant
 Lycense for Marriage in this his s^d Province, I do hereby in his
 Ma^{ty} Name Empow^r the Chief of the Vestry in Each parish
 within this Province (till further Ord,) to grant the s^d Lycense
 for Marriage taking Security and ffees of all p^sons to whom
 such Lycense shall be Granted Viz' Twenty Shillings Sterl. or
 a hdd: of Tob. according to former Usage or as heretofore
 hath been usually done and taken by fformer persons
 Empow'd to grant the Same & th' no other p^son whatsoever
 p'sume to Grant any Marriage Lycense or Marry p^sons
 whatsoe, Contrary to Law upon pain of being prosecuted
 according to the Utmost Severity of the Law: Requiring the
 persons hereby Authoriz'd to bring or send an Acco^t unto me
 of the s^d Lycenses & profits thereof Annually and for the
 trouble of Sending and granting the Same, a Suitable Reward
 shall be allowed them, And I do hereby Ord^r that the Vestrys
 of the Severall Parishes doe annually transmit unto me at the
 Port of Annapolis, a transcript of their proceedings pursuant
 to the Directions of a certain Act of Assembly of this Province
 in that Case made & Provided Comāding the Sherriffs to
 make Proclamation hereof in all Churches Chappells and
 other places of publick meeting within their respective
 County's, whereunto all p^sons concern'd are to yield due obe-
 dience & Conform themselves accordingly. Given at the Port
 of Annapolis under the Broad Seal of the Province this 25th
 day of March in the ninth year of his Ma^{ty} Reign &^{ca} Annoq
 Domi 1697.

God Save the King

ffr: Nicholson

On back of the above Proclamation issued to the Severall Lib. H. D. Counties was thus written, Viz^t

I do hereby in his Ma^{ty} Name Comānd that the Sherriff of each respective County with all convenient Speed possibly that may be; shew the within Proclamation to the Clerk of each respective Parish within their County and I do in his Ma^{ty} name Comānd the Clerk of each parish to take a true Copy of this Proclamation and make a Record of the Same among the rest of their parish proceedings and this my Proclamation is to be kept by the Clerk of the County. p. 107

I do also in his Ma^{ty} Name Command that the Vestry of each respective parish Return me under their hands by the next Provinciaall Court or sooner a true and full Acco^t of what great Church Bibles, Comon Prayer Books & Books of Homilies they have & how they Came by th^m as also if they have now Recd: from me as a Guift to their Parish ffour Ordinary Bibles ffour of the Reverend Doct^r William's Catechisms Stitch't, as also four of his Lawfullness of Comon Prayer worship &^{ca} Stitch't and one whole Duty of Man, and if they did not Receive one of the Reverend D^r Brays Catecheticall Lectures; all persons to whom this is directed are not to faile to Comply with these my Commands, as they will answer the contrary at their perill; Given under my hand the day and Year of the Date of this Proclamation

ffr: Nicholson

Mr Hen: Denton.

I would have waited on you my Self according to his Ex^{cy}s Ord^r for the Sadles and Armes but that I am at p^rsent very lame; I desire they may be delivered to the Bearer James Waple; also 1000 ffints: 2 Spades 2 pick axes; with 20^{lb} of Powder & 40^{lb} Bullet and Swan Shott: and this with his Receipt Shall Oblige me to be Accountable for the Same, I am

S^r Your ffriend & Servant
Rich^d Brightwell

March the 1st 1696/7.

Maryland ss

Mr Hastwells
Power to
receive Gifts
for the free
Scholes &^{ca}

Whereas the hon^{ble} the Govern^r and Trustees, appointed for the Erecting and Endowing Grammar Scholes within this his Ma^{ty} Province have at a meeting and Consultacōn held at the Port of Annapolis the tenth day of October last past taken into Consideracōn and Actually Agreed upon Building a House for a free Schole within the s^d Port and have already Engaged p. 478

Lib. H. D. Workmen thereabout; who are now preparing all things Necessary for a quick dispatch; And hoping so good and pious a Work for the Liberall Education of Youth in these Remote and unpolished parts of the World may meet with Severall p^rsons within his Ma^y Kingdom of England inclinable to promote and forward the Same (especially all merch^{ts} holding correspondence here) by their Charitable Guifts and donations to it, when acquainted therewith; And fforasmuch as the s^d Govern^r and Trustees have by an Ord^r passed the day and Year aboves^d fully Authorized and Empower'd his Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l and Govern^r in Cheif of his Ma^y s^d Province, S^r Thomas Laurence Baron^t Secry^r and Maj^r Edward Dorsey three of the s^d Trustees for to Act and do in behalf of the rest, as also to Receive any Guifts or benevolences w^{ch} shall be given and Bestowed for and towards Building the s^d Schole or Scholes and a Church within this Port; Now these p^rsents Witness that We the s^d ffrancis Nicholson Esq, S^r Thomas Laurence Baron^t & Maj^r Edward Dorsey do (by virtue of the Power afores^d Unto us given) hereby Authorize and impower M^r Thomas Hastwell of London Merch^t in the Kingdom of England; To be our Lawfull Attorney in this behalf, for to Act and do and in our Names to Receive any Sum^e or Sum^s of money or other benevolences, which Shall at any time be given by any p^rsons of what Ranck or degree soever within his Ma^y Kingdom of England to the Vses afores^d as fully and Amply as if the Same had Actually been Received by Us; And we do hereby likewise intreat and desire the s^d Thomas Hastwell Gen^t to be so farr aiding and assisting in this Affair as to procure what gratuities or Benevolences he Can towards the Erecting and Support of the s^d Schole or Scholes and building the Church afores^d Ratifying and confirming for good whatsoever our s^d Attorney Shall legally doe in the p^rmises. In Witness whereof, We the s^d ffrancis Nicholson S^r Thomas Laurence, and Edward Dorsey have hereunto set our hands and Seals this 17th day of March in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1696/7.
March the 17th 1696/7.

Signed Seal'd & delived
Read & Approved off in Councill,
in the p^rsence of Us.

ffr: Nicholson (S)
Tho: Laurence (S)
Edw: Dorsey (S)

Hen: Denton Cl Concil. { Heneage Robinson
Sam^l Philips Jun^r
Geo: Nelthorpt
John Cotterrell }

St Pauls
Parish Prince
Georg's Co
Bounds
thereof

At a Court held at Benedict Leonard town the Lib. H. D.
14th day of febr^y in the Year of our Lord God
1692 and in the 5th Year of the Reign of our
Sovereign Lord and Lady King William and
Queen Mary by the Grace of God King and Queen of England p. 479
Scotland France and Ireland Defenders of the faith &^{ca} by the
Justices thereunto authorized and appointed together with the
most principle freeholders thereunto Called for the laying out of
the Parishes on the West Side of Petuxant River in Calvert
County being in obedience to an Act of Assembly Entituled an
Act for the Service of Almighty God and the Establishm^t of
the Protestant Religion in this province made at the City of
St Maries the 10th day of May Annoq Domⁱ 1692.

P^rsent

Mr Tho: Tasker	}	Mr John Bigger	}	Mr James Keech	}	Comm ^{rs}
Mr Tho: Holliday		Mr ffran: Hutchins		Mr W Parker		
				Mr ffrancis ffreeman		

It is Agreed on, and concluded by the Justices above named
and by the Principall freeholders at the time and place above^d
mett together Viz^t That from the Upper part of Mount Calvert
hundred to the main Branch of Swanstons Creek be in one
Parish the Church for the s^d Parish being already built at
Charles Town called by the Name af St Paules.

Vestrymen Chosen.

Mr Tho: Brooke	}	Mr Rich ^d Charlett	}
Mr Thomas Greenfeild		Mr W ^m Barton	
Mr Tho: Holliday		Mr Sam ^l Magruder	

A true Copy of the aboves^d proceedings taken of the
Records of St Pauls Parish p Edward Willett Clerk of the
aboves^d Vestry.

Extract of a Letter from Sir Thomas Lawrence to the Board of Trade

P. R. O.
Maryland, 3.

Anapolis March 25th 1697.

Here I found his Excellency in good health, carrying on a
fair house, for the publick Administration of Iustice, and all
the offices of business in the Country; a fine brick building
which will now be accompanied with a fine Church which will
cost 1000^{li}, and a publick School 500^{li} both now in hand and
our Contributions ready; But the Reversal of the two Acts for
Establishing of Religion and the Free Schools, had put our
Assembly so out of humour, That if his excellency had not

P. R. O. with great Address gott them speedily Reenacted all his
 Maryland, 3. Generous Dessigns for the Good of this Country, were in
 danger of miscarrying; they are now sent back to be pre-
 sented again to his Ma^y and to your Lo^{ps} in Councill with an
 humble Address; tho it not penn'd as they ought, his Ma^y
 would be pleased to give Directions in what sort, they shall
 pass his Royal Assent; but it is a wonder here that M^r Popple
 has not given us timely notice how to make our Addresses
 and Applications; Many matters was left unfinish'd at my
 Coming away from England there was a memorial concerning
 severall advices notices & proposals, Relating to the Advan-
 tage of the Kings Service in this and the adjacent Collonyes,
 presented to yo^r Lo^{ps} by his Excellencys Order, and Referr'd
 by yo^r Lo^{ps} to the Com^{rs} of the Customes, and by them to the
 Merchants in which advice was given that the Planting of
 Cotton and the Encourageing of the Manufacturing of it in
 Virginia by S^r Edmund Andros, and others seem'd prejudicial
 to the Planting of Tobacco and to his Ma^{ties} Interest, both in
 England and there and this Collony, This gave great distast
 to some in London, who were friends to S^r Edmund Andrews
 and had land here, they have sent Copys of the Memorial
 into Virginia Endeavouring to cast an odium upon his Excel-
 lency as an Informer, and an Enemy to the benefit and Interest
 of the Country, The presenting of which has been also so far
 improved by some Hott and factious Spirits in our late
 Assembly, that tho I was of their opinion before and had now
 Recovered for them 300^{li} S^r Edmund Andros had taken from
 our Collony, 200^{li} of which is applyed to the building our free
 School, and given a fair Acco^t of all my negotiation. Give me
 leave to remark one thing, I doubt yo^r Lo^{ps} were surprized by
 sending the Memorial, Entire to the Comm^{rs} of the Customes,
 or they were so by sending it to the Merch^{ts} since there are
 some things in it not so fitt for the Merch^{ts} or Common
 persons to know but the end of this is to lett me know what
 Iudgment is past upon it, because there has been so much
 noise about it.

P. R. O. Gov. Nicholson of the Board of Trade
 Maryland, 9. May it please your Lordships
 Answered fol. 97 I have the honour to receive your Lordships Letter of Sept^r
 Fol. 20 25th 1696, and shall endeavour according to my duty to
 returne your Lordships an Answer to all your Lord^{ps} Com-
 mands therein so far as at present tis possible. His Most
 Sacred Majesty having authoriz'd and constituted your Lord-
 ships Commissioners for promoting the Trade of England, and

for inspecting and improving his Plantations in America and elsewhere, it is to the great and generall satisfaction of this his Majesty's Province, and of my self in particular. P. R. O.
Maryland, 9.

I humbly beg leave to give your Lordships a brief account of this his Majesty's province; before the happy Revolution. Whilst My Lord Baltimore resided in the Country all things were pretty quiet, but when his Lordship went away, he left the Government in the hands of the Councill, the principal of which were Papists, and they had generally the places of profit and Trust, and the Quakers were in the Assemblies and other places in the Government. As for the Church Governm^t it was in the hands of some Jesuits and Priests: the chief place of their residence was within two miles of S^t Mary's, where they have a good brick Chappell, and about 5 or 6 wooden ones in other places of the Country. Of priests, and Jesuits there is commonly six or seaven in the Countrey, and they have severall good plantations to live upon; but I suppose they have allowances from England and other places, and from the people of their perswasion in this Countrey. The Quakers are also dispersed all over the Countrey, but more numerous, and also have more places for their worship. There were seldom above 3 or 4 Clergymen of the Church of England that resided in the Countrey, and they had no certaine maintenance, but only by voluntary contributions, by which way also the places for the publick worship of God, according to the Church of England, were built.

Sabbath breaking, Cursing, swearing, and profane talking; some of the Men having two wives, and some of the women two husbands, whoring and drinking, especially the last were too much practiced in the Countrey, and seldom any were punished for these Sins. Few Schools, and those but very mean ones either for Master or House: But the Jesuits and Priests had some, especially one brick one at S^t Mary's. After my Lord Baltimore went for England, the Courts of Justice were very delatory, and the people were fined by Law, and became sureties for one another, as also for strangers on Navigation bonds, and upon severall other occasions; yet very seldom were the Fines collected, or the Bonds put in suit. I suppose the Jesuits and priests were willing to have a very loose Government both in Church and State, that they might bring the people to be Atheists, in order to make them Papists. To accomplish which I suppose they would not have mett with great opposition; by reason that the Major part of the Countrey was first seated but by an indifferent sort of people.

The time betwixt my Lord Baltimore's Government, and the arrival of his Majesty's Governour the late Coll^l Copley, was very unsettled, and the Government very loose, but the

P. R. O. publick Debts of the Countrey grew great, and others also, especially those to my Lord Baltimore upon account of his Quitt rents.

Whilst his Excellency Governor Copley lived, all the Debts were not paid, neither were any so during the time that his Excellency S^r Edmund Andros his Majesty's Lieutenant and Governor of Virginia took upon him this Government. Tho there be an annual charge for the maintenance of his Majesty's Honourable Councill, Burgesses, Iustices of the Provincial, and County Courts, Rangers &c which are paid in Tobacco, and levyed p pol. So that when it pleased God that I arrived here with the honour of having his Majestys gracious Commission to be his Governour of this his Majesty's Province, I found it very much in debt; and I dare venture to say not very well settled either in the Church, Civil, or Military Government. But according to his Majesty's Royall Commission and Instructions to me, I have endeavoured to new modell them, as will appeare by the Severall Journalls of Councils, Assembly and Laws, during the time that I have had the honour to be his Majesty's Governor here, which have been sent to the Lords of the late Committee of Trade and Plantations, together with my letters, Papers &c. And by this Fleet is transmitted to your Lordships by his Majesty's Secretary of this Province S^r Tho: Laurence the Duplicates of the Journals of Councill, Assembly, and Laws (which your Lordships do me the great honour to write me that you have received) as also of those since, with papers of other affairs concerning this his Majesty's Province.

I herewith most humbly transmit to your Lordships an account of the parishes &c in N^os.

There was a Law passed in the late Governor Copley's time for establishing the Church of England &c which his Majesty in Councill the 11th of March 1695/6 was pleas'd to disapprove and disallow of &c; But there is another now sent to your Lordships, and you may please to see by the Iournals of Assembly, what difficulties I met with about it. When I came hither I found very few of the Churches built according to the former Act of Assembly; but I hope in God that they will be all finished this year, and then we shall want Clergymen, and a Commissary to inspect the Church affairs, for whose maintenance an Act is passed, and now sent to your Lordships. My Lord Bishop of London hath promised to send an able Commissary and some good Clergymen, as also School Masters for the Free Schools, for establishing of which, there was an Act passed, which his Majesty was pleased to disapprove & disallow of &c But there is now sent to your Lordships another supplicatory Act for Free Schools, wherein

tis most humbly submitted to his Majesty to appoint what P. R. O.
more trustees and Governors he shall in his great wisdom Maryland, 9.
see necessary.

With most humble Submission to Your Lordships great judgments, I think the most likely way for converting the Indians to the Christian Religion, and bringing them to live amongst us in a settled way, and learne our language in order to be made more useful to this his Majesty's Province, and putting a stop to the Papists, and Quakers and bringing them over to the reformed Religion, and to make those that are already Protestants better in their lives and morals; will be by erecting Free Schools, wherein both English and Indian boys may be bred up scholars, and fitted for his Majesty's Royall Colledge of William & Mary in Virginia. The Account of which is designed (God willing) to be given by us the trustees of the said Colledge, to his Excellency S^r Edmund Andros according to your Lordships directions to him. For I humbly beg leave to observe to your Lordships, that it is some charge to his Majesty, to supply these parts with Ministers, and Schoolmasters, his Majesty being graciously pleased to allow twenty pounds to each of them for their transportation, without which his Majesty's bounty, I suppose very few of them would be able to transport themselves. There is often very great want, and now especially of good Clergymen and Schoolmasters in these parts of the World; and I will not venture to answer for some of their abilities, lives and conversations

I hope (God willing) to be able by the next Fleet to give your Lordships an account of a pretty good Church and School being nigh finished in this place.

In N^o 2 is a List of the Names of his Majesty's Honourable Council &c.

Severall of the principal Inhabitants of this province are not qualified by Law to serve his Majesty in any Imployment, which makes it very difficult for me to supply them with good men. But the names of some are put down at the end of N^o 2 pag. 9, in which are the number of Taxables for the years 1694, 1695, 1696. It hath never yet been the Custome of this Countrey to distinguish the Taxables by Free men, Servants, and Negros, and tis not possible now to send them to your Lordships, but I intend to give Orders that the Taxables be so distinguished, and if I can to have the Number of Papists and Quakers. And in the said paper is an Account of what Indians reside in this province, as also Copies of some Fol: 81
late Orders about the Indians. We have had no further Fol: 82, 83,
Treaty with the Senniquos, Susquihanits, and Shevano Indians 84, 85
since my last, but expect to hear further of them this May.

P. R. O. Mr Edward Boothby one of the Burgesses for Baltimore Maryland, 9. County who was appointed to goe to the Government of Pensilvania about the Indians, hath not yet made a Returne. I have an account that he is and hath been some time very ill, which I suppose is the reason that he hath not done it.

The Foreign Indians which are mentioned in a certaine Message sent from the House of Burgesses to my self, and his Majesty's Council, some of them are of the five Nations, which are under his Majesty's Government of New York, and are those who passe from the Northward to Virginia and other Southerne Plantations, what their strength is we know not, nor exactly what point of the Compass they lie from us: but suppos'd it is to the Westward of the North. Those Indians which come from the Southward are suppos'd to inhabit upon the River Oheo or Spirito Santo which runs into the Bay of Mexico: and upon which tis reported that the French have two or three settlements. The names which we know the Indians by are the Wittowees, Twiftwees, and naked Indians (but the Indians of one Nation are called by diverse Names both by the English and other Indians). The exact point of the Compass which their Country lyes from us is not yet known, but it's supposed to be the Westward of the South: Sometimes they come down to the falls of Potomoke, and Susquahanah Rivers, between which places the Ranging is kept by our two parties of Rangers consisting of a Captain, Lieutenant and eight private troopers; and annexed to N^o 2 are the Copies of some Orders concerning them.

The reasons as I conceive which induce the Inhabitants of this Province to leave it, are the incouragement which they have from the Carolina's and the Jerseys, but particularly from Pensilvania, which being so very nigh they easily remove thither, and their Handicraft Tradesmen have encouragement where they endeavour to sett up the Woollen and Linnen Manufactures. And there is great incouragement for illegall Traders, for privateers, or rather pyrats; which two things cause a great many Seamen to run from his Majesty's Ships in these parts, especially from the Virginia and Maryland Convoys, as also from the Merchant ships, which is one reason that they do not get soon loaded, especially this year: for by what Accounts I have, above one hundred seamen have left this Fleet. And if your Lordships please Cap^t Charles Wager the Commadore but especially Cap^t Iosiah Daniel Commander of his Majesty's hired ship the Prince of Orange, and his two Lieutenants M^r William Ockman, and M^r Isaac Young can informe Your Lordships about a privateer, and the run away seamen. And the Commanders of the Merchant Ships in their petition to the Commadore for

his longer staying, one of their reasons is the running away of the Seamen, through the great incouragement that is given in Pensilvania; which petition was made publick in the Provinciall and County Courts, and generally subscribed to; a Copy of which I herewith transmit to Your Lordships in N^o 3 together with the Copies of severall Depositions &c concerning one Day a privateer, and the Depositions of one M^r Charles Hemsly concerning six run away seamen, which did belong to the Ship Richard and Sarah of London &c and the Copy of a Declaration of my own concerning privateers, and Run away seamen being harboured and entertained &c in Pensilvania which was approved of by the Iustices of the Provinciall and County Courts &c And also Copys of two Proclamations, one concerning seamen's being encouraged by people of Pensilvania to goe thither; in the other are enumerated the false pretences that are suggested to the people to make them leave this Countrey, and goe to the other places: But in the said proclamation the Inhabitants are dissuaded from believing of them. There is also the Copy of a paper concerning privateers and illegal trade, but the latter part is written by the Gentleman himself Coll^l Robert Quarrey the same person which I have humbly proposed to be of his Majesty's Honourable Councill here. I very much fear that if some course be not taken to prevent privateers and Pyrats being harboured and entertained in these parts of the World, as also run away seamen; That when please God, the next Virginia and Maryland Fleet shall arrive they will be much retarded in their loading, if some of them be not forced to stay in the Countrey, by reason of the seamens running away.

This Province being long, full of Rivers, and Creeks, and but very thinly inhabited towards the Frontiers of Pensilvania, I think it almost impossible to prevent seamens running away thither And his Majesty hath no Naval Force in this province to prevent them: So I am in great hopes that his Majesty will be graciously pleased upon Your Lordships laying before him my most humble desire of having a small Vessell which may by turns cruise in this and Delaware Bay: And I shall be then in hopes that some stop may be putt to the privateers and pirats; for last summer notwithstanding that the 3 men of War and fire ship which were the Convoy to the Fleet, and the S^t Alban's Prize which attended the Government of Virginia were all there; yet the Privateer Day in his Brigantine came up within a few miles of this place, and himself with 10 or 12 more went on shore, and allarmed all that part (tho they did little or no mischief, but when he ran away out of Delaware River, he plundered some of the

P. R. O.
Maryland, 9.

P. R. O. Inhabitants there) as he did other places, thô our Fleet was Maryland, 9. in the Countrey.

The Bay being wide and the Men of War but just arrived, and he going away in the night, was the Cause that his Majesty's Frigats did not come up with them. With humble Submission I think that except there be some Navall Force to secure this whole Bay, it is morally impossible to doe it, for every River and Creek are Harbours, and most people have landing places at their plantations. To make teneble Forts would cost a great deal of money: for I reckon that one good one would not be built under 4000^u sterling, and that could but secure one River if it did that: And to keep it in repaire wou'd be more chargeable than in England, for all Buildings decay sooner here, And for his Majesty or the Countrey to be at any Charge in making of woodden Platforms or Batterys (as they here call them) or Stone ones either, I think it so much money thrown away, for I have seen some of these sort of Foolish fortifications spoiled before even they were finished. To have Forts of such Fortifications may be of dangerous consequence, by incouraging not only an Enemy who may so easily seize them, but also a Rebellion when they may be Masters of them with so little hazard. And Forts and Fortifications will very little or not all hinder the illegal traders: but a small Navall Force, especially if a Fireship be one, or at least Materials for making Brigantines or Sloops, fire Vessells, will I think hinder them, keep the Country in awe, and protect them from Privateers or Pirats. I have endeavoured (according to my duty) to hinder illegal trade, in doing of which, I have mett with very great difficultyes, especially in the Courts and Assembly. And in N^o 4 is a Copy of an Adresse to his Majesty about the Navigation Bonds &c, as also a paper from the Committee of Grievances with two others.

The security that they complaine of is because I have ordered the Collectors and Naval Officers not to take such poor and common Securities as was formerly used; and the oath is that the Masters and others who take an account of Ships loading, give an account upon Oath of the Number of Hogsheads, and great quantity of bulked Tobacco, paying no duty for them, which I think is a fair step for their running Tobacco, when in England. A great means to prevent illegal Traders, and securing his Majesty's Customs; would be, that a few certaine places were appointed for all Ships and Vessels to load and unloade at: And when I had the honour to serve his Majesty as Lieutenant Governor of Virginia, I endeavoured to bring them to it by degrees, as by making a Law for Ports-People in these parts having been used to live so separately, it's a very difficult thing to bring them at once to cohabit,

especially by restraint, In this his Majesty's province. I have endeavoured to make an Essay of Ports and cohabitation at this place, and at the Port of William Stadt on the Eastern Shore, which are places where Trade naturally was. To come to which places I have ordered the Pensilvanians who trade by Land at the Head of the Bay, there being severall good Cart Roads between the Two Countreys, especially one which is between the Head of Bohemia River in this Countrey, and Opoquiraing Creek which runs into Delaware River a few Miles below New Castle, the Land Carriage being only about eight miles, by which they carry Boats and Shalops of 10 or 12 Tuns upon Sleys, or in great Carts: and illegal trade is much practiced that way, especially in carrying Tobaccoes into Delaware, from whence I suppose severall hundreds of Hogsheads are carried into Scotland and other places, and I believe that when strict examination is made there, it will be found that the Acts of Trade and Navigation &c are oftner broken than kept, especially the late Act. And how I have endeavoured to discharge my duty therein, your Lordships may be informed by Copys of severall proceedings in N^o 4. The bounds betwixt this his Majesty's Province, and that of Pensilvania, especially in the 3 lower Countys in the Territories of New Castle are very uncertaine. In the late King James his time there was a dispute betwixt My Lord Baltimore and William Penn Esq^r, and I have seen the Copy of an order of the late King James in Councill for dividing the provinces, but I don't find that the line was ever run, but severall of Pensilvania &c have endeavoured to incroach upon this his Majesty's province, but I shall not (God willing) be wanting according to my duty, to ascertain and maintaine his Majesty's Right. I believe it will be for his Majesty's service and the Interest of the Inhabitants of both provinces that the Bounds were settled. But with humble Submission I propose that they may not be adjusted, before inquiry be made in these parts about the said Bounds; for then the upper part of our Bay might be well seated, and be a check to the Pensilvanians &c. And the Inhabitants and Ships trading to this Province, who are now furnished from Pensilvania with Flower, bread, and beer, might be from them, that being a very proper soile for making those Commodities, provided one man had not above two or three hundred Acres at the most. Some persons taking up great quantities of Land both in Virginia and Maryland, and few or none of them being able to improve it all, is one great reason that the young English Natives and Servants when they are free, leave these Colonies, and goe either Southward, or Northward, for they are naturally ambitious of being Land-

P. R. O.
Maryland, 9.

P. R. O. lords, and not Tenants. If I am not very much mistaken, Maryland, 9. there is very little Land to be taken up either in Virginia or Maryland, except it be severall miles beyond any of the Inhabitants. And those distant and stragling Plantations, wherein there is often not above one or two men, which is sometimes the cause of murders or plunderings by the Indians while they are hunting, or in their going from or returning to their severall Nations.

Nº 5 is a list of Navigation Bonds &c being 28, for which Iudgments are obtained.

Nº 6 is a List and an additional one of Navigation bonds for which no certificates are produced, being 115. And in the said Nº 6 is a List of Navigation Bonds being 19, for which no Certificates produced, and on which Declarations are drawn, and there is also in Nº 6 a List of Navigation Bonds being 6, principals, noe securities to be found.

Nº 7 is a List of Bonds being 60 taken in Maryland, for which legal Certificates have been produced.

I humbly transmit these Lists to Your Lordships and hope that your Lordships will be pleased by the next Fleet if not sooner to send orders what shall be done with those Bonds upon which Iudgment is already and may be obtained; for I have ordered his Majesty's Lawyers to prosecute those that can give no good reason for the suspension of their prosecution, but I presumed with the advice of his Majesty's Honourable Council, and at the most earnest request of the House of Burgesses, and severall of the principall Inhabitants of this his Majesty's Province to suspend the execution of the forfeited Bonds until his Majesty's Royall pleasure was known therein. If the Iudgm^t had been executed I do not know whether his Majesty would have gotten 500^l by them. And the officers must have been forced to have executed them with Rigour. And I did not know what evill effect it might have had. If his Majesty be graciously pleased to grant the humble petition of the Burgesses (and what they suggest therein I must needs own to be true) yet I most humbly propose that some of them may be made examples, especially some of those who have been illegal Traders within these 2 or 3 years. Presently after my arrival I gave publick notice of my designe to prosecute illegal Traders, and had it recorded in the first Provinciall Court; so that they cannot pretend not to have been cautioned to leave their old Custome of illegal Trade, and becoming Suretyes in Navigation Bonds.

But I have observed that in these parts the People begin to pretend Custome, and claime it as their Common Law, which if not timely prevented I humbly conceive may be a disservice, and prejudicial to his Majesty's Interest. For if they be

allowed the benefit of their old Customs, t'will be in vain for me to prosecute illegall Traders, and forfeited Bonds &c as also to endeavour to new modell the Countrey, whether in Church or State. P. R. O.
Maryland, 9.

With most humble submission to your Lordships great Judgements, I humbly propose that his Majesty would be graciously pleased to grant an Act of pardon to his Subjects of this his Province. For it having but lately been under his Majesty's immediate Government (the former having been very loose) severall, have been guilty of Crimes and misdemeanors which they generally pretend is not out of disobedience to his Majesty's Laws and Government, but that they were not used to them before: And therefore they are in hopes that his Majesty (according to his wonted goodness and Clemency) will forgive their Crimes and misdemeanours.

Here are two women under the Sentence of death, and N^o 9 are the Abstracts of their condemnations; and they are thought to be objects of his Majesty's mercy.

I now send to Your Lordships the Collectors, and Naval Officers Lists of Ships. N^o 10 is the particular Acco^t of them. The Assembly's not sitting this month, and having so lately received your Lordships Commands and the passage over the Bay being very difficult I could not have them sworne before my self and Councill And George Layfield Esq^r his Majesty's Collector of Pokomoke sent me word that a great fitt of Sickness had hindred him from sending his, And by these Lists Your Lordships may please to see the increase and decrease of the Trade of this his Majesty's province mostly depending upon the plenty or scarcity of Tobacco, which by the coldness of later years, visibly decreaseth: For a great many very good planters do not make two thousand pounds of Tobacco a year for a Man; whereas formerly four thousand a man was looked on an ordinary Crop.

It hath pleased God that this winter hath been the longest that hath been known in the memory of man, for it began about the middle of November, and little Signe of any spring yet. It was very uncertain weather; severall frosts and snows, one of which was the greatest that hath been knowne.

These extraordinary accidents make the Planter conclude that he shall at last be forced to leave off planting Tobacco, or at least imploy more of his time in provideing for the necessaryes of his Family by reason that his Stocks &c must be a great deal better looked after in providing of them Fodder &c for they formerly took little care of them.

This very long and unseasonable winter is supposed to have spoiled or very much damnified a great deal of the

P. R. O. Tobacco's and is a great hindrance to the ensuing Crop. It
 Maryland, 9. also very much retarded the Fleet's loading, and N^o 11 are
 Copies of severall proceedings thereon, in one of which it is
 most humbly represented to Your Lordships to intercede with
 his Majesty that a particular Convoy may be appointed for
 this province.

I herewith humbly transmit to Your Lordships the Dupli-
 cate of a letter from his Majesty's Council and the House of
 Burgesses to the Right Honourable the Lords of the late
 Committee for Trade, together with a Duplicate of the
 Adresse and Association of my self, his Majesty's Council
 and Burgesses in a Generall Assembly, which we did our
 selves the honour to signe. The same addresse and Associ-
 ation is signed by the Provincial Iustices, and Grand Jury,
 as also by the Iustices and Grand Jurys of each County, and
 the Field officers. Commission and Non Commission officers
 have signed it too. With these are the Duplicates of two
 other Addresses to the King's Most Excellent Majesty from
 myself, the Council and Burgesses in a Generall Assembly,
 all which I humbly presume to send Your Lordships in N^o 12.

And I am an humble Supplicant to Your Lordships that you
 would be pleased to give directions about their being humbly
 presented to the King's Most Excellent Majesty; for I have an
 Account that the Originalls very unfortunately miscarried, the
 ship in which they were being taken.

I now also send Your Lordships the Duplicate of my Letter
 to the Right Honourable the late Committee for Trade &c so
 most humbly begging your Lordships pardon for this prolix
 Letter, in which I have endeavoured according to your Lord-
 ships Commands, to give you an Account of this his Maj-
 esty's province. But thô I have presumed to trouble your
 Lordships with a very long one, I am too sensible how far
 short it comes of giving your Lordships such an idea of the
 state of this Countrey, as I could have wished my self able to
 give, and as your Lordships might very justly expect from me.

All that I shall offer to Your Lordships in its defence is only
 this, that I hope I may be bold to say, what it wants in the
 stile, is made up in the sincerity and truth of it. And (God
 willing) by the next safe opportunity, the rest of Your Lord-
 ships Commands shall be answered with all possible care and
 fidelity, by him who most humbly begs leave to have the
 honour of subscribing himself

Your Lordships most obedient
 and faithfull humble Servant
 Fr: Nicholson.

Maryland. Port
 Annapolis. March
 27th 1697.

April the 21st 1696/7.

Lib. H. D.

Then Rēcd: of Henry Denton Clerk of the Councill these following Armes, Viz^t Ten Sables & Caps for Carbines, Nine Bridles, Ten pair of pistolls, ten Cartouch boxes & belts, ten Byonets and Belts ten Carbines & belts, being for the Vse of the Rangers in Baltemore County, I say rēcd: by me the day and Year aboves^d

John Oldton

William R.

Trusty and Well beloved we greet you well whereas notwth. standing the many Good Laws made from time to time for p^rventing of frauds in the Plantation Trade It is manifest that very great Abuses have been and Continue Still to be practised to the p^rjudice of the Same Which Abuses Must Needs Arise either from the Insolvency of the p^rsons Who are Accepted for Security of from the remissness or Connivance of such as have been or are Gov^r in the Severall Plantations who ought to take Care that those persons who give Bond should be duly prosecuted in Case of Nonperformance you are to take Notice that we take the good of our plantations and the Improvem^t of the Trade thereof by a strict and punctuall Observance of the Severall Laws in force. Concerning the Same to be of so great Importance to the benefitt of this our Kingdom and to the Advancem^t of the Dutyes of our Customs here that if we shall be hereafter Informed that att any time there shall be any failure in the due p^rformance of those Laws within our Province of Virginia Comitted to your Charge by any willful fault or Neglect on your part, We shall look upon it as a breach of the Trust reposed in you by us which we shall punish with the loss of your place in that Governm^t and such further Markes of our displeasure as we shall Judge reasonable to be Inflicted upon you for your Offence against us in a Matter of this Consequence that we now so p^rticularly Charge you with. So we bid you heartily farewell. Given att our Court att Kensington this 22^d day of Aprill 1697 in the Nineth year of our Reigne

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By his Mates Comānd
Shrewsbury

May the 11th 1697.

Then Rēcd: of Henry Denton Clerk of his Ma^{ty} hon^{ble} Councill two dozen of Carbine, two dozen of musket & ffour dozen of pistoll fflints as also 9th Weight of Musket bullets and six pounds weight of pistoll Bullets, being deliver'd upon

Lib. H. D. Application made unto his Hon^r S^r Thomas Laurence Baron^t Secretary for the same and for the immediate Service of his Ma^{ty} and the Countrey; I Say Rēcd: by me the day & year aboves^d.

Rich^d Brightwell

Anno 1696 Taxables in Petuxant Hundred	109
in Collington Hundred	050
in Mount Calvert Hundred	158
in Mattapany Hundred	197
	<u>514</u>

There is Eight Plantacōns Taken into Charles County out of this Parrish by the Devision of the County's: which are not in the above Number of Taxables

p Edw^d Willett Clk:

Maryland ss At a Councill met & held at the Port of Annapolis the ffourteenth day of May in Ninth year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1697.

Present

His Ex^{acy} ffancis Nicholson Esq Cap^t Gen^{ll} &^{ca}
 S^r Thomas Lawrence Barron^t Secry^r }
 Coll: Henry Jowles

Justices of the Prov^{ll} Court & Burgesses &c sent for to consult them abt the Murdr lately co^mmitted by Indians in Cœcill & Prince Georges Counties

p. 480 His Ex^{acy} is pleas'd to Send for the Justices of the Prov^{ll} Court and what Burgesses were in Town and accordingly appeared M^r Speaker, M^r Smith, Cap^t Tasker, M^r Hopkins, M^r Hemsley, Coll: Beale, M^r Hatton, Maj^r Thompson, Cap^t Hill, M^r Lingan, Maj^r Maxwell, M^r Staly, M^r Att^r & Sollicito^r Gen^{ll} as also M^r Robert Goulesborough his Ma^{ty} Counsell at Law being likewise p^rsent.

His Ex^{acy} Acquaints them that the Occasion of Sending for them at this p^rsent, was in the matter about the Noise of the Indians & those murders lately Committed by them in Cœcill County and the head of Potomock and for to take their Advice therein considering no more of his Ma^{ty} hon^{ble} Councill were as Yet met together and that they would give their Opinion what is best to be done & whether they can find out a way to reconcile the thing without an Assembly; telling them that by the Informacōn he has had, he finds the Originall Cause to Proceed Chiefly upon a Grudge with Some particular p^rsons upon the Score of Trade Yet does Conceive that upon deserting their flort & withdrawing themselves into another Gov-

ernm^t They ought to be sent to, to give their Reasons, w^{ch} for Lib. H. D.
the Generall Satisfaction and quieting the peoples minds will
be best to be done in an Assembly seeing the last Treaty with
them was perform'd that way.

The s^d matter being Seriously and fully debated It is the
Opinion of the Severall Gentlemen p^rsent that it will be most
for his Ma^y Service, and Good and benefit of the Countrey,
that (upon this Emergency of Affairs considering all Circum-
stances) the Assembly doe meet the 26th of May instant pur-
suant to the late Proclamacōn if the s^d Indians may be procured
to meet here by that time as it is Generally agreed they may.

Assbly Ap-
pointed to
meet 26th of
May next

Resolved therefore and Ordered that the Assem-
bly meet the 26th instant accordingly, and that an
Express be sent to Maj^r W^m Barton with Directions
to goe to the Emper^r of Piscattoway & the rest of his Great
men in Virg^a to acquaint them that the Assembly is on purpose
Called to know their Reasons for deserting their ffort and
going out of the Province in that manner and to give them
Notice to be here the day appointed and to tell them that his
Ex^{cy} the Govern^r does Order that they give him a Meeting at
their ffort or Coll: Addisons House (which they like best) for to
discourse them, being intended (God willing) to be at Coll:
Addisons on Munday Night next, where if they should not
Come by that time that then they should find him the next day
at the ffort to which the s^d Maj^r Barton is hereby directed and
Ordered to Conform himself accordingly by dispatching to go
to the Empero^r on the s^d Message.

Produced by Maj^r John Thompson of Cœcill County a
Certain Paper containing Some heads of a Declaracōn &^{ca} (by
him written from the mouths of two of the great men) sent by
the Susquehannah King in Relation to the Murder lately Com-
mitted in those parts, which was Read as followes Viz^t

The Delaware
& Susque-
hanna Indians
Declaracōn by
Maj^r Thomp-
son, touching
the late Mur-
ther in Cœcill
County

This day (to witt) the 10th day of May Came
two Indians Named Heyruppa Delaway Indians
and Besshaccus, who where sent by the Susque-
hannah King with John Hance to my House to
desire me to acquaint yo^r Ex^{cy} that they are Sorry
that a Brother of theirs who is a Christian should
be kill'd and that they are noe ways Culpable of
the murder and as a Token it is True they sent by me to yo^r
Ex^{cy} a Belt of Peak. p. 481

They do Suppose that the Chaharoone Indians, which they
had taken two of them Captives, who have now lately Escaped
from them, and are Enemies to us both, have done this murder,
and do hope that notwithstanding the Blood is Spilt upon the

Lib. H. D. Road the way may be still passable for them. And sent by me to yo^r Ex^{cy} three drest deer skins and as our Brother being now dead and Buryed that they cannot help, but hope the murder^{rs} are not got so farr but may be taken and that they are very ready and willing to put on their Shoes and Run after them if yo^r Ex^{cy} think fit they sent by me, one wild Catt, one ffisher, two Raccoones. And that the Delaway Indians are noe ways Guilty of the murder but shall be ready to go after the Chaharoone Indians and hope they may go and Come as formerly. They sent to me by yo^r Ex^{cy} flour ffathoms of Wampum.

May the 15th 1697.

The Council again Sate & were p^rsent as Yesterday.

Presents from
the Susque-
hanna & Dela-
ware Indians
sent &
p^resented by
Maj^r Thomp-
son & Cap^t
Hance to his
Ex^{cy}

Came and appear'd at the Board Maj^r John Thompson & Cap^t John Hance of Cœcill County and p^resented his Ex^{cy} with the Skins Sent from the Susquehannah King and Delaware Indians w^{ch} were kindly received.

Capt Hans's
Ordr to go to
the Susque-
hanna & Dela-
ware Indians
&ca to signify
the Rect of
their p^rsents,
& tht he would
have 2 or 3 of
the Chief of
each Nation be
here at the
Assbly

The Justices of the Prov^l Court and Kings Lawy^{rs} being sent for, & appearing they were asked their Opinion whether it would not be necessary that some of the Chief men of the Susquehannah, Shevanor & Delaware Indians be sent for to Come down to the Assembly to discourse them who are of Opinion it will. Ordered therefore that the s^d Cap^t John Hance goe to the 2^d Indians and acquaint them that his Ex^{cy} had recd. their p^rsents. And that he would have two or three of the Chief each Nation Come down to the Assembly which is to be held here at the Port of Annapolis the 26th day of May instant, who may then have the opportunity to be heard, in what they have to Offer hereby directing the s^d Cap^t Hance to Come with them (he being a person understanding in their Language) for which Charge and trouble he is to be allowed in the publick leavy of this Province &ca Ordered likewise that he make inquiry whether any other persons can give any further Information about the Murder there lately Committed and that he make return thereof accordingly.

By his Ex^{cy} the Govern^r May the 16th 1697.

Lib. H. D.

further Ord^r
to Capt Hans
abt the
aforesd
Indians

Ordered th^t if in Case Cap^t John Hance Can-
not timely procure the Indians (to w^{ch} he is directed
to goe) to Come down with him so th^t they may p. 482
be here at the Port of Annapolis by the the 5th or
sixth of June next at ffarthest that then he give them Notice
not to come at p^rsent, but tell them that against the next
Sessions, they shall have Earlier Intelligence whereby they
may better fit themselves for their Journey, Yet notwithstanding
ing that he be sure to Come himself according to time
appointed.

It being Represented that there are Some Ships still left
behind in the Country His Ex^{cy} is pleasd to ask M^r Plater
what number there might be of them and in what Readiness
they were and what Occasion'd their not getting Ready to
goe with the ffeet & whether they had met with any obstruct-
tions in the Countrey.

Justices of the
Provl Court
& Grand Juries
Opinion abt
the Ships left
behind the
ffleet

The rest of the Gentl. p^rsent were also asked to
give their Opinion and advice what is best to be
done whether to keep them to goe in Company
together, or leave them to their own liberty
Whereupon the s^d matter being duly Consulted
and Debated, and being found th^t there are not above 5: or 6:
Ships remaining in the Countrey that Came in with the ffeet
beleiving they are now nigh loaden, It is therefore the
Unanimous Opinion of the Gentl. Present that it will be most
to his Ma^{ty} Service, and benefit of the merchants and Own^r
&^{ca} That the s^d Ships be left to their own liberty to Sayle
more especially Considering they are but few & Ships of no
great Countenance and as to the Questions put about the
Reasons of their Stay, they all make answer that they can
blame none but themselves and doe believe that their Stay
has proceeded from Nothing but want of getting their Tob^o
on Board.

Ships left be-
hind Order'd
to be clear'd
as got ready

Ordered therefore that the s^d Ships so left be-
hind be permitted to Sayle as they get Ready and
that the Coll^r and Nav^l Officers take Notice
thereof and Conform themselves accordingly.

Ordered that all the foregoing Proceedings be laid before
the Grand Inquest of this Province for their Opinion thereon
to be given, and that they make Report accordingly with all
Convenient Speed, the which came Returned Indorsed as
followes Viz^t

Lib. H. D. Well approved on by the whole Grand Jury and Requested to be Signified and Assigned Soe, p me

Hen: ffernley fforem.

Navall Officers Order'd to get their Accots ready agt the Assbly Ordered that the Respective Nav^l Officers within this Province prepare their Acco^{ts} Ready and be here with them at the Port of Annapolis by the 26th of this instant May in Ord^r to make Oath to the Same before the whole Assembly.

Justices & Grand Jury of the Prov^l Court Order'd to View & give their Opinion abt the public Buildings Ordered that Some of the Honrd the Justices of the Prov^l Court and Grand Inquest for the Body of this Province do on Munday morning next goe and View the State House work and Return their Oppinion unto his Ex^{cy} and Council under their hands respectively whether the same be Substantiall and workman like so farr as is done and that they afterwards veiw the foundation of the Church, and ditch begun to be made without the Gate and in like manner returne their Opinion about the Same with all Convenient Speed, which was as follows Viz^t

We the Justices as well as the Grand Jury are of Opinion th^t the Work about the State House is Strong Rough work, the Leakes in the Shingling being made tite; as for the Church what appears to Us we do think very good and well Contrived if there be a quick set Hedge Planted it will be better.

Philip Hoskins	Thomas Wills	John M ^l Clester,
Thomas Staley	Thomas Lemare	Benj ^a Ricaud
Henry ffernley	Sam ^l Browne	Morgan Jones
John Scott	W ^m Ebden	Rich ^d Benton
Rob ^t Hobbs	Joseph Peake	Joseph Edloe
Edward Larimore	John Chairs	Henry Eldersly
Ralph Smith	Aron Rawlings	
Edward ffilpott	John Seargeant	
John Jacob	John Allford	

Produced and Read the following Peticōn, Viz^t

To his Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l & Govern^r of Maryland.

The humble Peticōn of S^r Thomas Laurence Bar^t

Sr Tho: Laurence's Pet & Ord^r of Reference to the Justices of the Prov^l Court, touching his Action agt Coll Greenberry. Sheweth.

That having brought an Action upon the Case against Coll: Nicholas Greenberry in the prov^l Court for Severall wrongs Recd: from that the s^d Nicholas, his Attorney pleaded to the Jurisdiction of the Court as not having pow^r to trye the s^d Action; which plea the Court allowed off & so

would not take cognizance of your peticonⁿ Action from Lib. H. D. which Judgment of theirs in allowing the s^d plea good your Peticon^r craved an Appeal pursuant to an Act of Assembly of this Province, which was denyed him and consequently is left utterly Remediless, unless Relieved by yo^r Ex^{cy}

Wherefore yo^r Peticōn^r humbly Pray's that such Methods may be taken by yo^r Ex^{cy} in this Matter as may bring yo^r Peticonⁿ Just Action to affair Tryall upon the merit thereof
And he will Pray.

By his Ex^{cy} the Govern^r &^{ca} May the 15th 1697.

The within Petition is Recommended to the Honrd the Justices of the Prov^l Court to give some answer thereto, which done, Some further Ord^r will be made therein in a full Councill.

Signed p Ord^r Hen: Denton Cl Concil.

June the 2^d 1697.

Read the Justices of the Prov^l Courts Answer to the Ord^r p. 484 of Reference from this Board in the Case betwixt S^r Thomas Laurence and Coll: Nicholas Greenberry, as follows Viz^t

Maryland: ss

In answer to the Ord^r of his Ex^{cy} the Gov^r and Council to the hon^{ble} the Justices of the Prov^l Court upon the Peticōn of S^r Thomas Laurence Baron^t

This is humbly Offer'd.

Justices of the
Prov^l Courts
Answer to S^r
T: L: pet &
Ord^r of Refer-
ence.

That the proceedings against the s^d S^r Thomas Laurence by his Ex^{cy} the late Gov^r Copley and Council was Arbitrary and Illegall, but we do not find or Apprehend that any of those proceedings were done by his Hon^r Coll: Nicholas Greenberry in his private Capacity, but as one of his Ma^{ty} Councill whose Orders and determinations We humbly Conceive lyes not within our Jurisdiction to question, which was the Ground and ffoundation of the Justices Opinion. And for not granting an Appeal from this Court We thought it inconsistent with both Law and Reason to take Bond to prosecute in a Cause not Tryable before Us.

Besides the whole Cost which might be Recovered against the Plantiffe cannot amount to ffive pounds Sterl. Whereas in Appeals the Damage must be ffifty pounds at least.

May the 21st 1697.

Signed p Ord^r

Christopher Gregory Clk: Ass^t Cur Prov^l.

Lib. H. D: The Same was by Ord^r indorsed as followes Viz^t

By his Ex^{cy} the Govern^r & Council &^{ca}

June the Second 1697.

Sr Tho: Laurence's Case Referred to the Kings Lawyers to make Answer thereto. Ordered that the within Matter be Referred to the Kings Lawy^{rs} together with the petition and rest of the proceedings for them to inspect and Examine the Same and make Report whether the s^d dispute can be Ended and tryed in this Countrey; for that there Seems to be a failure of Justice in the thing; which report they are to make with all possible Speed, unto this Board.

Signed p Ord^r Hen: Denton Cl Concil

Mr Gouldesboroughs Opinion vpon Sr T: L: Case Referred. May it please yo^r Ex^{cy}
In Obedience to the Comand of yo^r Ex^{cy} & the hon^{ble} his Ma^{ty} Council Iv'e Considered the Case between Sr Thomas Laurence & Coll: Nich^o Greenberry, and with humble Submission it Seemeth to me that the whole Charge (except the ha Cor) Charged upon his Hon^r Coll Greenberry is not his Act but the Act of the Council & therefore not Cognisable in any Court of Common Law within this Province nor is a Privy Councillor any more Subject to any Mans Suit for things done in Council than a Judge of the Common Law is for giving an Erronious Judgm^t And the Rule of Law is that if an Offence be Comitted in any Court punishable by th^t Court, it must be done Criminally in the Same Court or in a higher and not in an Inferiour Court, and there is no Court in this Province of a higher Jurisdiction than the Govern^r & Council. And upon considerac^on of the whole it seemeth to me that this matter is Cognizable before the King and Council and not else where. All w^{ch} is humbly Submitted by

Yo^r Ex^{cy}'s humble Serv^t
R Gouldesborough

By his Ex^{cy} the Govern^r &^{ca} May the 16th 1697.

Capt Hans Order'd to make inquiry abt Amos Nichols's Report about the Indian Traders &^{ca} Whereas it is generally Reported how that Amos Nichols should give out (a little before the murder Committed in Cæcill County) this following Expression, Viz^t That he was afraid there would be Some Mischief done to the Indian Traders (this Sumer) by the Indians by which Expression it is not a little Suspected that he might have a hand in

that ffact Ordered therefore that Cap^t Hance make diligent Lib. H. D.
inquiry into the matter and find out (if possible) the truth and
certainty thereof; and that he make Report accordingly when
he Comes down to the Assembly.

Signed p Ord^r Hen: Denton Cl Concil.

At a Councill met & held &^{ca} the 17th day of May Anno:
Domini 1697.

Present

His Ex^{acy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

S^r Thomas Laurence Baron^t Secry^r }
Coll: Henry Jowles
Coll: Charles Hutchins }

Nicho Bayard Nich^o Bayards Peticōn, praying to be Excused
of Cæcill from bearing any Military Comand, Setting forth
Co: Pet & his being Appointed by the ffield Officers of
Ord^r Cæcill County to be a Captain of one of the ffoot Comp^{as}
there. The same was by Order Referred to Coll W^m Peirce
and Maj^r John Thompson for their Consideracōn to do therein
as they shall see Cause.

Cæcill Bright A Peticōn of Cæcill Bright of Kent County
of Kent Co: praying Some Relief about her Thirds, being
pet & Ord^r Read, was by Ord^r Referred to the Kings Lawyers
for their Advice to be given to the Peticōn^t.

S^r Tho: Vpon motion of the hon^{ble} S^r Thomas Laurence p. 486
Laurence's Baron^t Secry^r how that he shall have occasion to
Motion & Ord^r put Sevrall Sherriffs Bonds in Suit for non per-
for putting formance of the Duty of their Office in Collecting
Sffes, Bonds his fees according to Law. Ordered that the
in Suit. Same be Assigned over accordingly to be put in Suit, such as
the s^d S^r Thomas shall think fit.

Eliz: Inmans A Peticōn of Eliz: Inman Adm^{ra} of M^r Cox late
Pet & Ord^r of Minister of W^m and Mary Parish in St^t Maries
Reference County about the Arrears of the 40 p poll due to
the s^d Estate; being Read was Referred.

Jno Wathens A Peticōn of John Wathen of Calvert County
pet & Ord^r of ab^t a Debt due to M^r Plater from Lewis Guest and
Reference Attach^t in his hands, being Read, was by Ord^r
Referred.

Ab: Lemasters A Peticōn of Abraham Lemaster of Charles
Pet & Ord^r of County about a Bull was by Ord^r Referred.
of Reference

Lib. H. D. Ben: Ricaud & Susanna Lowthers Pet & Ord^r of Reference &^{ca} A Peticōn of Benjamin Ricaud and Susanna Lowther of Kent County praying for Remittance of a certaine ffine imposed upon them by the Justices of that County Court, was by Ord^r Referred to the Kings Lawyers and George Plater Esq the Kings Receiver &^{ca} for th^m to Advise whether any thing can be properly done for the Peticōnⁿ

Order for
Cap^t Hollands
answering in
Money the
40424th of
Tob^o he fell
short in paying
Mr Coutts at
13^s p Cent &^{ca} Produced by his Ex^{cy} to the Board Copy of an Acco^t made Up betwixt M^r James Coutts Merch^t and Cap^t W^m Holland of Ann Arundell County Gentl upon a Note drawn by his s^d Ex^{cy} on the s^d Cap^t Holland, payable to the Ord^r of the s^d Coutts for Seaventy Thousand ffive hundred Sixty Six pounds of Tob^o Ball^t due on Acco^t of the 40th Tob^o p poll given by a certain Ordinance of Assembly for and Towards Building a Church at Annapolis, which was Sold by his Ex^{cy} to the s^d Coutts after the Rate of thirteen shillings p Cent in the paym^t whereof the s^d Cap^t Holland was found to ffall short the Sume of fforty Thousand ffour hundred Twenty ffour pounds of Tob^o as by Copy of the s^d Coutts Rec^t (for thirty thousand one hundred fforty two pounds of Tob^o only) passed to the s^d Cap^t Holland at the settling the s^d Acco^t the 16th of Aprill last past does more at large appear. Ordered that the s^d Cap^t W^m Holland do Answer Money proportionable to what the s^d Coutts had Contracted to give for the s^d Tob^o Viz^t 13^s p Cent payable in Lyon Dollars or peices of Eight unto his Ex^{cy} for the Vse of the Church aforementioned; and that upon delay or refusing to pay the Same His Ma^{ty} Counsell at Law are hereby directed and Ordered to issue process against the said Cap^t Holland at the Suit of his Ma^{ty} for the Same, being Required forthwith to Return his Answer thereto.

p. 487 Jno Coppage Pet & Ord^r of Reference &^{ca} A Peticōn of John Coppage of Kent Island desiring to be dismissed from being a Vestryman, was by Ord^r Referr'd to the rest of the Vestrymen for them to make Return what they have to Say thereto.

Maj^r Dorseys pet & Ord^r for putting Mr Smiths Sffes Bond in Suit . A Peticōn of Maj^r Edward Dorsey for leave to put M^r James Smith Sheriffs Bond in Suit, was granted accordingly.

Coll Jowles Pet & Ord^r for putting severall Sffes Bonds in Suit A Peticōn of the hon^{ble} Col^t Henry Jowles for leave to put Coll^t Thomas, M^r Cambell, M^r Nich^o Lowe & M^r James Smiths Sheriffs Bonds in Suit was granted accordingly.

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Arthur Wheatleys Pet for the S^{ss} place of Dor. County. A Peticōn of Arthur Wheatley for the Sherriffs place of Dorchester County, was by Order referr'd to the hon^{ble} Coll: Charles Hutchins and the Justices of that County Court to know what they have to Say in Recomendations of the Peticōn^r as to his abilities and qualifications for the s^d place. Lib. H. D.

Sydrack Whitworths pet & Compl^t ag^t Mr W^m Harris. Referred to the Kings Lawyers for prosecutions &c^a. Upon Reading the Peticōn of one Sydrack Whitworth of Cæcill County complaining against M^r W^m Harris of the s^d County that he obstructs the taking up of Vagrants and Runaways in opposition to his Ex^{ncy} Proclamation for for the Same, in particular threatning the s^d Whitworth for doing his Duty therein. Ordered th^t the s^d Peticōn be Referred to the Kings Lawy^{rs} for them to Issue such process as is proper against the s^d Harris thereon, And that they have the hon^{ble} James ffrisby Esq M^r Robert Crooke M^r Henry Eldersly and M^r Alexand^r Cambell Sumōned as Evidence to prove the Complaint in the s^d Petition set fforth.

Elisha James Pet & Ord^r of Reference to M^r Aldern for Answer. Elisha James Petition against W^m Aldern Dep^{ty} Collecto^r of the Port of W^m Stadt for Seizing his Shallop, was by Order Referred to the s^d Aldern for him to make Answer thereto.

At a Councill met and held &c^a the 27th day of May Anno: Domini 1697.

Present

His Ex^{ncy} ffrancis Nicholson Esq Cap^t Gen^l &c^a

S^r Thomas Laurence Baron^t Secy^r }
 Coll: Henry Jowles
 Coll: Nich^o Greenberry
 Thomas Tench Esq
 Coll: Charles Hutchins. }

Mr Alderns Answer to Elisha James pet. M^r W^m Alderns Answer to Elisha James Petition being produced and Read who therein denying to have any hand in such Seizure it was Ordered that the s^d Peticōn should be Return'd to the s^d James and to know of him why he sent such a Peticōn.

Mr W^m Taylards Pet Ord^r for ag^t S^r Tho: Laurence. A Peticōn of W^m Taylard desiring leave to issue forth a Precept against the hon^{ble} S^r Thomas Laurence Baron^t Secy^r upon a Certain Contract &c^a was Granted accordingly. p. 488

102 *Proceedings of the Council of Maryland, 1696/7-98.*

Lib. H. D. Sr Tho: Laurence's complt agt Mr Tay-lard His Hon^r Sr Thomas Laurence Representing to the Board how that the s^d Taylard does detain in his Custody a Certain Book of fees belonging to the Secryⁿ Office which he Could not get from him to the great prejudice of himself and others.

Ordered that Search be made whether the s^d Taylard did not formerly make Oath in Councill of his having delivered up all publick Records writings and papers &^m which accordingly being found he is sent for and appears who being Examined in the p^mises and having the Oath (formerly by him taken) read unto him does Confess he had such a Book of fees by him, but that it Came to his hands Since his taking that Oath.

Mr W^m Tay-lard by Ord^r committed to prison Ordered that he be Committed by a Warrant from this Board unto the Custody of the Sherrieff of Ann Arrundell County and prosecuted upon the same for Perjury, pursuant thereto the following Warr^t issued.

By his Ex^{ty} the Govern^r & Councill May 27th 1697.

Whereas W^m Taylard late Clerk of the provⁿ Court of the Province did on the 13th of Oct. 1694: take an Oath before this Board that he had deliver'd up all publick Records writings and Papers (wherewith he had been Concern'd) in the s^d Office and forasmuch as it Since appears to the Contrary by the Complaint of the Hon^{ble} Sr Thomas Laurence Baron^t Secry^r in that he still keeps in his Custody a book of fees to the s^d Office belonging. Ordered therefore that the Sherrieff of Ann Arrundell County Do upon Sight hereof take the s^d W^m Taylard into Custody and him Safe keep untill he shall thence be deliver'd by due Course of Law for which this shall be yo^r Sufficent Warrant.

Signed p Ord^r
Henry Denton Cl Concil.

Mr W^m Aldern makes Oath to 4 Lists of Shipping & to his Accot of the 1st 6^d p hhd & 3^d p Ton. Came M^r W^m Aldern Dep^{ty} Coll^r for the Port of W^m Stadt and Produced to the Board ffour lists of all Ships & Vessells by him Enter'd & Cleard within the s^d Port since his acting there and made Oath to the Same accordingly, as also made Oath to an Acco^t of the One Shilling and six pence p hhd: and 3^d p Ton.

Geo: Layfield Esq makes Oath to 3 Lists of Ships & is Order'd to send over 1: more of each Sort &c^a Came George Layfield Esq Coll^r of his ma^{ty} Lib. H. D. Customs for the District of Pocomoke and produced three lists of the Severall Ships and Vessells Enter'd and Cleard by him within the s^d District from the time of the Governm^t of his late Ex^{cy} Lyonell Copley Esq Comencing Signifying that he had already sent Copies of the Same to the Hon^{ble} the Com^{rs} of his ma^{ty} Customs. He is Ordered to send over one of a Sort of the s^d Copies more he having Recd: one of the last sort to Carry back to Amend.

Mr Rd Beards Pet & Ord^r of Reference. Vpon a Peticon preferr'd by M^r Richard Beard P. 489 to Redress some abuse by him lately Recd: from Cap^t Richard Hill. He was Referred from this Board to make his Case known to the House of Delegates.

W^m Lowes Pet & Ord^r of Reference. A Peticōn of W^m Lowe of Dorchester County for Remittance of a ffine of 50^{ll} Sterl. was by Ord^r Referred to the Kings Lawyers & to George Plater Esq as his ma^{ty} Receiver to see if any Relief were to be had for the Peticōn^r

Madam Eliz: Blackistons pet for leave to sue Cap^t Oldton for a Debt &c^a was Referred to the s^d Oldton to make Answer &c^a Vpon Motion made by Madam Eliz^a Blackiston Adm^{rx} of Coll: Nehemiah Blackiston decd: how that Cap^t John Oldton Com^{and}r of the Party of Rangers in Baltemore County was indebted to her s^d Husbands Estate (by bill) in the Sum^e of fforty Shillings Sterl. and unto Edward Wynn (by a Certain Bond under his hand and Seal, Assum'd over to the s^d Coll: Blackiston) in the Sum^e of 1200^{ll} of Tobacco; both produced at the Board, but Refused paym^t of the Same; therefore humbly Prayed leave might be granted her to sue forth legall process against him. Ordered that the s^d Matt^r be Referred to the s^d Cap^t Oldton to make Answer to this Board the Reason of such his Denyall, and then some further Ord^r shall be given therein.

May the 28th 1697.

The Councill again Sate and were p^rsent as Yesterday with the Addition of the hon^{ble} Coll: John Courts.

Lords of the Council for Trade &c^a L^{rs} of Quæries to his Ex^{cy} Recd. Produced by his Ex^{cy} to the Board a Letter Containing Severall Quæries & Instructions by him Recd: from the R^t hon^{ble} the Lords of the Councill for Trade and fforreign Plantacōns Dated the 25th of September last past, which being Read was to the Gen^l Satisfaction of this Board, who immediately

Lib. H. D. gave directions for issuing the following Orders to the Severall Counties of the Province, and th' the s^d L^o might be laid before the House of Delegates for their Answer to the Severall Quæries to be Given.

Ord^r to the Colonels tht the Militia Officers send perfect Lists of their Troops & Company's &c.

Ordered that the Colonell of each respective County within this Province give Notice to the Severall Militia Officers under their Comand that they forthwith send perfect lists of their respective Troops and Companys with the name of every Officer and Private Centinell &^{ca} And how the Same are Accoutred &^{ca} both as to the Horse, foot and Dragoon, and that Care be taken to have the Same Regulated & Modell'd according to the Directions laid Down in a Certain Ord^r of Councill and Instructions formerly Sent to the ffield Officers of the Severall County's bearing date the 9th day of Octo. Anno 1694.

Ord^r to the Constables to take a List of the Number of each family &^{ca} & of their Religion &^{ca}
p. 490

Ordered that the Constables of the Severall Hundreds of the Province do at the time of their going about (by Law) to take the list of Taxables take also a ffair Acco' in a Seperate Sheet of Paper of the Number of People in each respective ffamily Contain'd as well of the Women and Children as men, and that they distinguish in their Acco' taken the Negroes and Servants from the ffree both as to the number and Sex—and that they likewise take an Exact List of all the Roman Catholicks; Quakers and other persons dissenting from the Church of England as also the Number of the latter Contain'd in each hundred together with an Acco' of what new Inhabitants are Come into Each Parish and who are gone out and whither they are gone; all which they are hereby directed to get Carefully done and Return lists of the Same accordingly unto his Ex^{ty} at the Port of Annapolis with all possible Speed wherein they are in no wise to ffaile at their Utmost perrill, hereby Comanding the Sherriffs to give Copy of this Ord^r to each respective Constable within his Bayliwick forthwith.

Ord^r to the S^{tes} to Ret a List of all Ships & Vessels built & Sea faring Men belonging to each County

Ordered that the Sherriffs of the Province do upon Sight hereof make Strict inquiry what Ships or other Vessells Trading to Sea, have been built in their Respective Counties Since his Ma^{ty} Happy Governmen^t Erected and Established here, and what are now a building as also what sloops and shallops to the s^d Counties belong and that they take an Exact list thereof together with an Acco' of the

Number of the Sea ffaring Men within the same which s^d list Lib. H. D.
and Acco^t so taken they are to transmit unto his Ex^{cy} at the
Port of Annapolis with all i^maginable expedition.

Ordr to the
Justices to
Return an
Accot of the
Roads Ordered that the Justices of the Respective
County Courts of this Province Omitt not to
Comply with the Severall Directions laid down in
a Certaine Act of Assembly Entituled an Act for
the better clearing of the Roads and directing all travell^r
travelling through the Province that pursuant thereto they
transmit or send an Acco^t in writing (of what publick Roads
are Ascertain'd in each County unto his Ex^{cy} the Govern^r &
Councill with all Convenient Speed.

His Ex^{cies}
demand abt
the Associa-
tion signed to His Ex^{cy} is pleas'd to Demand of the Board
whether the Association lately Signed to by the
Severall Officers in the respective County's of
this Governm^t be necessary to be Offer'd to be Signed by
any of the rest of the Inhabitants of the Governm^t who make
answer, they do believe there will be no Occasion.

Mr W^m fris-
by's fine of
500^l of Tob:
Ordered to be
taken of. Ordered that the Sherriff of Kent County do
(upon Sight hereof) forbear to Leavy or Cause to
be Leavyed upon the Body Goods or Chattells
of M^r W^m frisby within his Bayliwick the Sum^e
of ffive Hundred pounds of Tob^o a certain ffine imposed
upon him by Law, and now in the s^d Sherriffs hands to Collect,
the Same being Remitted him by this Board and he is hereby
accordingly Exonerated of the Same.

May the 31th 1697.

P. 491

The Councill again Sate and were p^rsent
His Ex^{cy} Francis Nicholson Esq Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Secry^r

Cott: Henry Jowles	} Cott: John Addison	}	
Cott: Nich ^o Greenberry			Cott: John Courts
Thomas Tench Esq			Thomas Brooke Esq

Produced and Read the following Peticōn Viz^t

To his Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l & Govern^r
in Chief in and Over his Ma^{ty} Province and Territory of
Maryland and to the hon^{ble} Councill &^{ca}

Lib. H. D. Mr Wm Sharps The humble Petition of W^m Sharpe of Talbot
 Pet & Ord^r County.
 of Reference
 to the Kings Humbly Sheweth—That a Judgm^t was obtain'd
 Lawyers at the Kings suit against yo^r Peticōn^r for one

Thousand pounds Sterl & yo^r Pet^r before any Execution
 Sued out ag^t him, being advised by his Counsell that there
 was Error in the Judgm^t so as afores^d Obtain'd ag^t him did
 thereupon Sue out his Writt of Error returnable before yo^r
 Ex^{ncy} and this hon^{ble} Board and procured a Writt of Super-
 sedeas which was directed to the Sherriff of Talbot County
 and afterwards that is to Say on Saturday Night very late
 being the 24th Instant the Sherriff of Ann Arrundell County
 Came to Serve yo^r Peticōn^r with Execution upon the s^d
 Judgm^t afores^d and although yo^r Peticōn^r shewed the s^d
 Sherriff the Writt of Supersedeas when he Came to Serve
 the Execution and before he had Served the Same Yet he
 would not take any Notice thereof but Served Execution and
 does Still detain yo^r Peticōn^r in Prison thereon

Yo^r Peticōn^r humbly Prays yo^r Ex^{ncy} and this Hon^{ble} Boards
 Consideracōn of the Premises and that he may be Released
 from his Illegal imprisonm^t and Restored to his liberty; and
 he will

Pray &^{ca}

Ordered that the Same be Referred to the Kings Lawyers
 for th^m to make Report thereon what the Law says in that
 Case. But it is Remarked that if the Petition^r had been
 minded to Peticōn before, he might, there having been
 enough of his Ma^{ty} hon^{ble} Councill in Town, to have given an
 Answer thereto from the time of his first being Arrested.

Produced by his Ex^{ncy} to the Board a Letter by him rēcd:
 from the R^t hon^{ble} the Comm^{rs} of his Ma^{ty} Customs of the
 10th of June 1695, directing a prosecution to be made of John
 Tench's Navigation Bond W^m Sharpe Security, which was
 Read.

Then produced a former Ord^r of this Board for putting the
 s^d Bond in Suit which was likewise Read; the Effect whereof
 his Ex^{ncy} does Say has been Complied with, upon which
 Acco^t the s^d Sharp the Peticōn^r now lyes under Execution.

p. 492 The Report of his Ma^{ty} Lawyers upon the foregoing
 Peticōn was produced and Read as followes Viz^t To his Ex^{ncy}
 the Govern^r in Councill &^{ca} In Obedience to this Comānd I
 humbly offer that a Supersedeas to the Sherriff of Talbot
 County Could have no Influence on the Sherriff of Ann Ar^{ll}
 County but that he having a Possitive Precept Comāding
 him he ought by the Duty of his place to Execute it Notwith-

standing any Supersedeas directed to another Sherriff which Lib. H. D.
was no Comand to him which I humbly Submit to yo^r Ex^{cy}
and am

Yo^r most Obedient Serv^t
Will^m Dent.

Vnderneath which Report was writ as followes.

I have formerly declared my Opinion to M^r ffreeman that
a Supersedeas to the Sheriff of Talbot County will not Barr
the Sherriff of Ann Arrundel County to Serve an Execution
upon any person in his County.

George Plater.

Mr Gouldes-
borough sent
for vpon Sr
T: L: complt
&c.

Vpon the Representation and Complaint of the
hon^{ble} S^r Thomas Laurence Barron^t Secry^r how
that M^r Robert Gouldsborough did acquaint him
he heard it Reported the s^d S^r Thomas had beg'd
of his Ma^{ty} all the fforfeited Navigation Bonds. Ordered that
the said M^r Gouldesborough be sent for; who accordingly
Came; and being asked his Author for that Report does say,
that M^r Sam^l Withers told of it, telling him he heard it at
Annapolis: to which he made Oath.

Mr Sam^l
Withers sent
for to Answer
Sr T: L:
complaint

Ordered that the s^d M^r Withers be sent for,
forthwith to Appear before this Board to Answer
&^{ca} And that the Sherriff of Talbot County Serve
this Ord^r upon him; and that he faile not to Come
accordingly, at his perrill.

At a Councill &^{ca} June the 1st 1697.

Present

His Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

S^r Thomas Laurence Barron^t Secry^r }
Coll: Henry Jowles
Thomas Tench Esq
Coll: Charles Hutchins
Coll: John Addison
Coll: John Courts
Thomas Brooke Esq }

Maj^r Thomp-
son makes
Oath to 2
Lists of
Shipping

Came Maj^r John Thompson Navall Officer of
Cæcill County and made Oath before his Ex^{cy} in
Councill to two lists of Shipping.

108 *Proceedings of the Council of Maryland, 1696/7-98.*

Lib. H. D. Hen: Denton Henry Denton Nav^l Officer & Dep^y Coll^r of
 makes Oath to the Port of Annapolis makes Oath likewise to two
 2 Lists of Severall lists of Shiping as also of the 1^s 6^d p
 Shipping & to hh^d & 3^d p Ton by him Collected within the s^d
 his Accot of Port.
 p. 497 1^s 6^d p hh^d &
 3^d p Ton

By the House of Burgesses, June 1st 1697.

Mr Smithson Ordered Maj^r Smithson publick Treasurer of
 Order'd to pay the Eastern Shore pay Henry Mathews fforty
 40^s to Mr Shillings
 Mathews

Signed p Ord^r
 W Bladen Clk.

June the 1st 1697.

Hen: Mathews Then recd of Maj^r Tho: Smithson Treasurer for
 Receipt for the Eastern Shore the Contents of the within
 40^s pd by Mr mention'd note I say recd p me
 Smithson
 Hen: Mathews

June the 1st 1697.

The Councill again Sate and were p^rsent as Yesterday with
 the Addition of the Hon^{ble} Coll: Charles Hutchins.

Mr Jno Mr John freeman Register of his Ma^{ty} high
 freeman Sent Court of Chancery within this Province being
 for to give Sent for to declare whether M^r W^m Sharp ag^t
 Accot abt Mr whom his Ma^{ty} had obtain'd a Judgm^t upon a
 Sharps Writ of Penall Navigation Bond had Sued forth a Writ
 Error. of Error thereon, and whether the Same was issued last
 Saturday was Seaven night or not, who came accordingly
 and being asked about that matter does Say and make Oath
 that Such a Wr^{itt} is now out but was not Issued the day
 before mention'd.

June the 2^d 1697.

The Councill again Sate & were p^rsent

His Ex^{cy} ffrancis Nicholson Esq Cap^l Gen^l &^{ca}

S ^r Thomas Laurence Barron ^t Secry ^r	} Coll: John Addison Coll: John Courts & Thomas Brooke Esq }
Coll: Henry Jowles	
Coll: Nich ^o Greenberry	
Thomas Tench Esq	

Mr Mason & Mr Watkins make Oath to their Accot^s of ffurs &c. Came M^r Rob^t Mason Treasurer for the Western Shore and M^r Sam^l Watkins Nav^l Officer of Petuxant District and made Oath to the Acco^s of ffurs and Skins. Lib. H. D.

Vide Accot^s Enter'd at the other end of this Book. ffo. 108 & 109

Henry Denton makes Oath to his Accot^s of ffurs & Skins. Henry Denton Navall Officer for the Port of Annapolis made Oath likewise to an Acco^t of the Duties by him Collected on ffurs and Skins.

Vide Accot^s at the other end— ffo: 110.

Esq Bonds L^{re} to his Excy Read & part thereof Order'd to be Copied out & sent to the severall Counties to be published. Read part of a Letter by his Ex^{cy} recd: from the hon^{ble} Councill in Barbadoes dated the 28th of Aprill last past Relating to the News in those parts &^{ca} Ordered that the Same be Copied out and Sent to the respective Counties of the Province to be made Publick; w^{ch} followes in these words Viz^t Vpon the 17th Instant Adm^l Nevill with 20: odd of his Ma^{ty} Ships of Warr and ffire Ships Arrived here and this day set Sail in quest of the ffrench Squadron under the Com^{and} of Mons^r Pontie whom we hope they will over take and destroy they toucht not at any of these Islands but went directly to Petty Guavers having Some Design upon Hispaniola or the Spanish Galloones. I think it necessary to acquaint you that by an Ord^r from Whitehall the men of Warr are forbidden to Press and the Power is now lodged in myself and Councill, which shall be improved, for the Encouragem^t and Content of the Traders. P. 498

The ffild Offic^{rs} of Cæcill Co: Appointed Ordered that (upon the Death of Coll: Herman) L^t Coll: Peirce be Constituted Coll: in his Stead Maj^r John Thompson L^t Colonell and the eldest Cap^t Maj^r of the s^d County.

Ord^r to the Sffes to Ret Lists of the Super-numerary Tythables &^{ca} and for the Clks of the Co. Courts to make out Lists of the ffines. Ordered that the Sherriffs Omitt not to take an Exact Acco^t of what Supernumerary Tythables they have mett with or can find during their Shrivallty and that they make a list thereof which they are to Swear to before the Justices of their respective Counties (according as has been done by the former Sherriffs) and so transmit the Same unto his Ex^{cy} at the Port of Annapolis by or before the ffirst day of the next prov^l Court at ffarthest in

Lib. H. D. Ord^r that due Credit may be given to the County &^{ca} and that the Clerks of the County Courts do in like manner make out lists of the ffines and Swear to them and afterwards Send them to his Maⁿ Receiver pursuant to a former Ord^r to the End the Same may be duly collected &^{ca} whereof the Sherriffs are to give them due Notice.

Whereas Several persons being in the Commission of Peace for Prince Georges County That are return'd unqualified to Act now in that Station by reason of the late Act of Parliam^t

New Comis-
sion of the
peace Order'd
to issue for
Prince
Georges Co: Ordered therefore that a New Commission of the Peace Issue out of the Secryⁿ Office Accord-
ing to Usuall fform Constituting and appointing these following Persons Iustices and Commⁿ &^{ca}
Viz^t M^r Thomas Holliday, Maj^r W^m Barton, M^r John Wright, M^r Rob^t Bradly, M^r Rob^t Tylar, M^r John Smith, M^r John Hawkins M^r Rob^t Wade, M^r Samⁿ Magrowder and M^r Thomas Sprigg, Jun^r the ffirst ffive to be of the Quorum.

Reference to
the Kings
Lawyers abt
Ordinances of
Assbly after a
Dissolution
&^{ca} Ordered that it be Referred to the Kings Law-
yers for them to give their Opinion whether the Ordinances which shall be made by this Assembly will stand good and be valid, after the Assembly is dissolved and whether it will not be Necessary by a Law to Confirm them. Who make Report that such Ordinances will be as binding and Valid as any formerly made by them, therefore no Necessity for making a Law to Confirm them.

M^r Samⁿ
Hopkins con-
stituted
Coron^r at the
Sea Board
side M^r Samⁿ Hopkins Sen^r is Ordered to be Com-
missionated Coroner for the Sea Board side in Somerset County, one being wanting there.

His Ex^{cy}s
demand abt
a respective
L^{re} writ to
Capt^t Paggen
agt^t him by
some of his
Mat^s Council
in Gov^r Cop-
leys time, th^t
they would
give some
Reasons for
so doing. Produced to the Board and Read a Letter
Signed by Nehemiah Blackiston, Nicholas Green-
berry, Thomas Tench, John Courts, and Thomas
Brooke Esqⁿ directed to M^r Peter Pagan Mer-
chant in London, Dated Dec^r the 21th 1692, con-
taining Matter of Complaint against his Ex^{ncy}
ffrancis Nicholson Esq p^rsent Govern^r of this his
Maⁿ Province. To which his Ex^{ncy} Demands of
the Gentlemen Subscribing the s^d L^{re} (now in
being) for to make some Answer thereto, and to
Offer Some Reasons that induced them to sign such a Letter;
for that the Same is highly reflective and stands a Record ag^t
him.

Some of the
Gentl of the
Councils
Answer to his
Excys demand
abt their L^{re}
writ to Capt
Paggen &c:
being Read
was Order'd to
be Enter'd in
the Council
Book of Gov^r
Copleys time.

Produced by Some of the Gentlemen of his Lib. H. D.
ma^{ty} hon^{ble} Council an Answer to the aforemen-
tion'd Letter by them and Coll: Nehem: Blackiston
dec^d writ, w^{ch} was Read.

His Ex^{cy} is pleased to say, he is Satisfyed with
what they have done and shall say no further in it.

Ordered that the s^d Answer be Enter'd in the
Council Book of Govern^r Copleys time, where
the aforemention'd Letter appears to be Enter'd.

June the 3^d 1697.

The Council again Sate and were p^rsent as Yesterday with
the Addition of Coll Hutchins.

Granado
Shells, ffuzes
&c^a Order'd to
be dd to each
party of
Rangers . . .

Ordered that pursuant to an Ordinance of As-
sembly of Yesterdays date there being deliver'd
unto Cap^t Rich^d Brightwell Commander of the
Rangers in Potomock 10: Granado Shells 3: where-
of to be deliver'd him, by the Coll: of S^t Maries
County, ffour by the Coll: of Charles County and three by the
Coll: of Prince Georges County, 20: ffusees to be deliver'd here,
as also 2: Spades, 2: Shovells and one pick Axe, and one of
the latter to be deliver'd by the Coll: of Prince Georges County
together with Ten pounds of Powder with ffints and Ball
proportionable 20^{ll} of Powder to be deliver'd by the Coll: of
S^t Maries County and 20^{ll} by the Coll: of Charles County with
ffints and Ball proportionable to each, the w^{ch} are to be
Returned back and not made Use off but upon Occasion.

Alike Ord^r is directed to issue for delivering the like Amu-
nition &c^a unto Cap^t John Oldton Commander of the party of
Rangers in Baltemore County to be equally propotion'd out
of Calvert, Ann Arrundell, & Baltemore Counties.

Reference &
Kings Lawyers
Report
touching Co:
Clerks being
inserted in the
Commission of
peace &c^a

Ordered that it be Referred to the Kings Law-
yers to make Report whether in the Comission
of Peace &c^a Usually issu'd to the County's the
Clerks Name ought to be inserted therein; who
makes Report there is no Occasion, Seeing by his
Hon^r the Secry^m Commission to such Clerks, They
are thereby Sufficiently empowered to Act.

June the 3^d 1697.

The s^d M^r ffreeman being again Sent for Came to whom a
Minuitt of the ffirst of June being Read wherein its Said that

Lib. H. D. he had made Oath thereto. It is Demanded of him whether the s^d Minuitt was truth or not, who does acknowledge it was.
 p. 493 Afterwards was produced a Writt of Error under the Broad Seal of the Province dated the 22^d of May last past obtained by W^m Sharp w^{ch} was Read accordingly.

Mr Jno
 ffreeman's
 Case in the
 matter of Mr
 Sharps Writ
 of Error
 Referred to
 the Kings
 Lawyers,
 whether he
 ought not to be
 precuted for
 perjury &c^a

His Ex^{ncy} demands to know of the s^d M^r ffreeman whether or no he did not tell him at M^r Dentons House the 22^d of May in the Evening last past that the aforementioned Writt of Error, Concerning M^r Sharp was not then issued who Says he did. he is Orderd to View well the s^d Writt (w^{ch} was given to him) and declare whether the Same and Every Word thereof were his hand writing, who acknowledges it is. M^r Sollicito^r Gen^l and M^r Rob^t Gouldesborough his Ma^{ty} Counsell at Law are by Ord^r sent for, and Came accordingly, To whom a Copy of the foregoing Minuite of Council and Writ of Error were deliver'd for them to make Report whether the s^d ffreeman is not thereby lyable to be prosecuted on the Statute of Perjury who accordingly bring in the following Report which was Read Viz^t

To his Ex^{ncy} the Govern^r in Council &c^a

Kings Law-
 yers Report
 vpon Mr ffre-
 mans Case

We have Consider'd of John ffremans Case referred to Us by yo^r Ex^{ncy} whether he be Guilty of Perjury in making Oath that the Writ of Error was issued on the day mention'd thereon. That if the Writ were not gone out of the Office on that day that he Swore it was not issued; he swore truth because he swore only to the issuing the Writt, But we Conceive the Granting the Writt, ought to Availe the party Concerned in it from the date thereof therefore we Report that if the Writ was issued out of the Office before the day Sworne to by the Register and that Can be proved against him it is Perjury and he ought to be put under Baile till he discharge himself by due Course of Law, but if that cannot be proved against him, tho: it was Signed and Seald, he ought not to be Confined thereon because he might Swear truth and if Soe, is not Perjury which is humbly Submitted &c^a

W^m Dent
 R: Gouldesborough

It is Demanded of the Reporters whether the s^d Instrum^t or pap^r was a legall Writt before the Seal was to it, who

make answer it was not, for that the Seal was the only thing Lib. H. D.
that adds force to it.

W^m Dent

R: Goldesborough

I am of Opinion it is no legall Writ till Sealed

George Plater

Coll Jowles &
Mr John free-
man both
sworn abt Mr
Sharps Writ
of Error, and
their Oaths
indorsed on
the s^d Writ

The aforementioned Writ of Error is shew'd to
his Hon^r Coll: Jowles Chancelo^r who is Demanded
to make Oath whether the s^d Writ passed the
Broad Seal the Same day it bears date or not;
who does make Oath before his Ex^{ncy} in Councill
upon the holy Evangelist that the s^d Writ of Error,
did not pass the Broad Seal the Same day nor till
two or three days after the s^d Date. Mr. freeman Register p. 491
being call'd in again was Swore to make answer whether or no
he did not tell his Ex^{ncy} the 22^d of May last in the Evening that
there was no Writ of Error Issued out at that time on behalf
of W^m Sharp which he accordingly made Oath to; The Tenor
of both which Oaths were indorsed by Ord^r on back of the s^d
Writ.

Mr John free-
man Order'd
to be committed
into Custody

Ordered that Warrant Issue to the Sherriff of
Ann Arrundell County for taking into Custody
the Body of the s^d freeman which was accordingly
Issued as followes

By his Ex^{ncy} the Govern^r & Councill June the 3^d 1697.

Whereas it appears upon Oath taken by John freeman
Register of his ma^{ty} high Court of Chancery within this
Province on the ffirst of this Instant June, that he the s^d
freeman being Demanded to make Answer to this Board
whether a Writ of Error had by him been issued the 22^d of
may last past upon a Judgm^t obtain'd at the Suit of his Ma^{ty}
against W^m Sharpe of Talbot County for 1000^{li} Sterl. that no
Such Writ had been Issued but fforasmuch as by a certain
paper produced at the Councill Board, this day under the hand
of the s^d freeman and Broad Seal of the s^d Province bearing
date the s^d 22^d day of May wherein the Judgm^t afores^d is re-
counted whereby it is Suspected that he hath Committed willful
Perjury—These are therefore in his ma^{ty} Name to will and
Require as also strictly Charge and Comānd that the Sherriff
of Ann Arrundell County do upon Sight hereof take into his
Custody the s^d John freeman and him in Safe Custody keep
untill he shall be deliver'd by due Course of his Ma^{ty} Laws
for which this shall be Sufficient Warr^t given from the
Council Board the day and Year above Written.

Signed p Ord^r Hen: Denton Cl Council

Lib. H. D. All the foregoing papers touching Mr Sharp Referr'd to the Kings Lawyers for their Opinion to be given whether the Writ of Error ought to be deemed legall

Ordered that all the foregoing Papers Viz^t the Peticōn of W^m Sharp the Writ of Error and the Oaths Endorsed together with the Minuite of the Councill the Ord^r of Reference and Lawyers Report thereon be all Referr'd to the Kings Lawyers for them to make Report upon the whole matter whether the s^d Writ of Error ought to be adjudged deemed and taken for legall and Authentick or not.

Upon Motion of Mr Sollicitr Gen^l the Case concerning Mr Sharp's Writ of Error Order'd to be Argued before the Gov^r & Councill as a Court &^{ca}

M^r Sollicito^r Gen^l moves in behalf of his Ma^{ty} that he has some Reasons to Offer, why the Writt of Error and Supersedeas obtain'd by W^m Sharpe upon the Judgm^t afores^d given against him at the Suit of his Ma^{ty} for 1000^l Sterl. ought to be null & void praying that he may have Some Small time to doe it which is granted accordingly and Ordered thereupon that the Lawy^{rs} prepare themselves against Night to attend his Ex^{cy} and Councill who then Intend to Sit as a Court to hear all matters in that Court now lying before them.

p. 495 Ordered that the Sherriff be here with the s^d Sharp, this Night to hear the s^d Reasons Argued.

To his Ex^{cy} the Gov^r & Councill &^{ca}

Kings Lawyers Report vpon Mr Sharps Case.

Vpon Consideracōn of this matter, and the whole State of the Case I humbly Conceive that if M^r Sharp had Petition'd yo^r Ex^{cy} that he was taken in Execution for a Judgm^t obtain'd ag^t him upon which he had Sued forth a Writt of Error and given Security thereon, but before the Same could issue he was taken in Execution and yet his security and Self lay Engaged and the Writt of Error Sued forth therefore had humbly besought yo^r Ex^{cy} Either to hear and Determine the matter of Error he had to Assign immediately in favour of liberty or else to take such further security of him to be Answerable to Justice in Case the matter in Law should be adjudged against him thereon, yo^r Ex^{cy} might with advice of the Councill have granted Either Prayer but as to the Writt of Error I cannot say it is legall though it may be legally Granted because I have seen it and Conceive it Imperfect in form and therefore I take it to be abateable. I am Yo^r Obedient Servant

W^m Dent

The Writ of Error being defective in form no advantage can be taken therein. George Plater.

June the 10th 1697.

Lib. H. D.

A Second Peticōn of W^m Sharps Preferr'd to this Board
and Read as followes Viz^t

To his Ex^{cy} the Govern^r & to the hon^{ble} the Councill.
The Petition of W^m Sharp.

Mr W^m
Sharps 2^d pet.
& Ord^r of
Reference to
the Kings
Lawyers.

Humbly Sheweth.

That your Petition^r was advised by his Counsell
to Sue a Writ of Error upon a Certain Judgment
obtain'd against him by George Plater Esq
Attorney Gen^l who in behalf of our Lord the
King Prosecuted for 1000^l Sterl. and yo^r Peticōn^r accordingly
Enter'd into Bond with two other persons his Sureties for the
prosecuting the s^d Writt of Error with Effect before yo^r Ex^{cy}
and this hon^{ble} Board but the Clerk of the Chancery instead
of making the Writt of Error upon the Judgm^t obtain'd
against yo^r Peticon^r by George Plater &^{ca} made out the s^d
Writt upon a Judgm^t Supposed ag^t yo^r Peticōn^r to be had by
our Lord the King not mentioning the s^d Plater, and yo^r
Peticōn^r being taken in Execution and thereby Restrained of
his liberty to his great loss and Damage.

Yo^r Peticōn^r humbly beseeches yo^r Ex^{cy} and this hon^{ble}
Board that he may be admitted to purchase a New Writt of
Error returnable before yo^r Ex^{cy} the next term and that
forasmuch as he cannot procure any new Security that the
flormer Security may be accepted and that in ffavour of his
liberty he may not be detain'd any longer in Prison for the p. 496
ffault of a Clerk only,

And yo^r Peticōn^r will Pray &^{ca}

Yo^r Pet^r also Prays that he may have the Order of this
Board that the Chancell^r may not have any ffees for the Second
Writt of Error nor he be Compelled to pay ffees to the
Sherriff for his Imprisonm^t.

The s^d Peticōn was by Ord^r indorsed as follows Viz^t

By his Ex^{cy} the Govern^r & Councill &^{ca} June 10th 1697

Ordered that the within Peticōn be Referred to M^r Attorney
& Sollicito^r Gen^l for them to make Report, their Opinion
therein; but this Board make Answer that they in no wise
approve of the Security they both lying under Severall
Engagem^{ts} already.

Signed p Ord^r
Hen: Denton Cl Concil.

Lib. H. D.

May the 11th 1697.

The Same Came Reported as followes.

Kings Lawyers
Report vpon
Mr Sharps 2^d
pet. Approved
off & Granted
accordingly.

In Obedience to this Comānd we are of Opinion that the Pet^r giving new and good Security as well for to Answer the Vallue of the Judgm^t to his Ma^{ty} in Case the Writt of Error be not prosecuted with Effect or that his s^d Ma^{ty} may not be barr'd from any legall proceedings on the s^d Iudgm^t or Bond the Petition^r may be discharged from Execution.

The s^d Report is approved off and the
Peticōn pursuant thereto is Granted and
Ordered accordingly.

George Plater
W^m Dent

Signed p Ord^r Henry Denton Cl Concil

Upon Motion
of Mr Watkins
the Nav^l
Officers having
given Bond
for their places
already are not
Required to
give new Bond
vntill Esq
Randolphs
Arrivall.

Mr Sam^l Watkins Navall Officer for Petuxant District Came and humbly moved that he was ready to give Security for his Navall Officers place according to the directions of the late Act of Parliam^t for preventing ffrauds &^{ca} To which his Ex^{acy} does say he Expects Esq Randolph in every day, who writes him word that he hath Some Power and directions thereab^t therefore would have him let it alone till the s^d Esq Randolph Comes in, he having given Bond before as also the Other Officers for performance of their respective places &^{ca}

A Lre from the
Com^{rs} of his
Maj^{ty} Customs
abt 2 illegall
Traders.
Order'd to be
Copyed out &
sent to the
Coll^{rs} & Navall
Officers.

Produced by his Ex^{acy} to the Board a Lett^r by him this day recd. from the R^t hon^{ble} the Comm^{rs} of his Ma^{ty} Customs Dated the 24th of X^{br} last past touching two Illegall Traders &^{ca} Ordered that Copyes of the Same be Writt out and sent to the Severall Coll^{rs} and Nav^l Officers of this Province.

Geo: Mu-
schamp Esq
makes Oath to
severall Lists
of Shipping
and Accot^s

Came George Muschamp Esq Coll of Poto-
mock District and made Oath to Severall lists of
Shiping and Accounts by him Exhibited at the
Board.

June the 4th 1697.

p. 500 The Councill again Sate & were p'sent as Yesterday.

Mr Tho:
Collyer makes
Oath to 4 Lists
of Shipping

Came M^r Thomas Collier Nav^l Officer of the
Port of W^m Stadt and made Oath to ffour lists of
Shiping.

Mr Philip Clarke delivered vpon Oath 33: Certificates for Ships &c. Came M^r Philip Clarke late Nav^l Officer of Lib. H. D. Potomock District and delivered upon Oath thirty three Certificates for Ships, Saying, that what Bonds he had in his possession he deliver'd them up to M^r Plater and th^t if he had any more Certificates or other papers by him Respecting his s^d Office he would bring them up next Court.

The hon^{ble} Thomas Tench Esq Coll: John Addison and Thomas Brooke Esq being appointed to go with Seaven of the Members of the House of Delegates upon the Indian Treaty have their Message deliver'd to them and take leave accordingly.

Col Greenberry Excused from Executing the late Ord^r directed to the Colonels Dated 28th of May past. Vpon Motion of the hon^{ble} Coll: Nich^o Greenberry in Relation to an Ord^r of his Ex^{cy} and Council Dated the 28th of May last past (directed to the Coll: of each County) that he might be Excused from the Execution thereof, Saying that he should not be in the Countrey.

A Copy of the s^d Ord^r deliver'd to the s^d Coll: Greenberry was indorsed as followes.

By his Ex^{cy} the Govern^r & Council &^{ca} June the 4th 1697.

Lieuten^t Coll: Ridgley is hereby directed and Ordered to Execute the purport of the within Ord^r

Signed p Ord^r Hen: Denton Cl Concil

Reference to the Kings Lawyers abt calling a Prov^l Court sooner than the Adjournm^t Ordered that it be Referred to the Kings Lawyers whether the Provincia^l Court may legally be called by an Ord^r of his Ex^{cy} and Council or by a New Commission to be appointed Soon^r than the Adjournm^t made, there being found a Necessity for having one Sooner by reason of so many Actions depending and New ones Commenced. And that they make Report thereof accordingly to this Board with all Speed.

The Same Came Reported as followes, Viz^t

May it please yo^r Ex^{cy}

Kings Lawyers Report vpon the above Reference I am of Opinion that if the Prov^l Court must be sooner than the time to which it is now Adjourn'd it may be done by Proclamation Setting forth some Reasons therefore in the s^d Proclamation.

R: Gouldesborough

I am of the Same W^m Dent

I am of Opinion if yo^r Ex^{cy} think fit either for the Kings or Countreys intrest to Call the prov^l Court before the time

Lib. H. D. adjourned to yo^r Ex^{cy} may legally Appoint a time for the Setting thereof without discontinuance of the Process.

George Plater

June the 8th 1697.

May it please yo^r Ex^{cy}

p. 501 I have Reconsidered the matter Referred by yo^r Ex^{cy} and Council whether the Provinciaall Court may be legally Called Soon^r than the time to which the Same is adjourn'd by the hon^{ble} the Justices of the Same Court &^{ca} The Law is Clear that the King may by his Writ of Adjournm^t directed to his Justices Adjourn the term from one Return to another, and so from term to term but not otherwise; but if the Justices without the Kings Writ do Adjourn the term from one Return to another, the King cannot then Cause the term to begin sooner than the time of adjournm^t

And in this particular Case a New Commission cannot give Power to the Justices to Trye those Causes that are now depending at any time Sooner than the time to which they and all their Appendages were Adjourn'd; and if a new Commission be granted to Sit Sooner than the time of Adjournm^t then at the time of the Swearing the s^d Commⁿ all the adjourn'd Pleas and process will be discontinued; and there is not any Remedy in as much as a day ffixe cannot be made to Come Sooner than it would do by the Regular Ord^r of Nature; and the Law doth greatly respect the Ord^r of Nature; this I do humbly Submit to yo^r Ex^{cy} upon my Second Consideration of this Case retracting my former Opinion upon better Consideracon

Yo^r Ex^{cy}'s humble Servant
R: Gouldesborough

I have also Reconsidered of the former Report and the Matt^r of Law in the premises and Agree to this Opinion.

W^m Dent
George Plater

At a Council held &^{ca}

June the 7th 1697.

Present

His Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}.

S^r Thomas Laurence Barron^t Secry^r }
Col^l: Henry Jowles }
Col^l: Nich^o Greenberry }
Col^l: Charles Hutchins }
Col^l: John Courts }

Copy of the
Earl of
Romneys
patent for
Prizes &c &
L^r of Attorney
to M^r Tho.
Robinson read
& Order'd to
be Enter'd in
the Council
Book

Produced by M^r Thomas Robinson of London Lib. H. D.

Merch^t a Copy of his Ma^{ty} Pattent to the R^t hon^{ble}
Henry Earle of Romney and John Glover Gent.
bearing date the 21th of March 1695. whereby
is Signified their being fully Authorized &
Empowr'd to Call to Acco^t and Receive from all
Comanders Officers and other persons whatsoever
any ways Concern'd in and ab^t the taking Con-
demning of any Prize Ships Goods &^{ca} of what
Nature Soever (brought for Condemnation into these Ameri-
can parts Portugall and Italy) his Ma^{ty} full part and proportion
of the Same. A Letter of Attorney under the hands and
Seals of the s^d Earle of Romney and M^r Glover being thereto
Annexed both attested under the Seal of Mayoralty of the City p. 502
of London and a Notary Publicks hand & Seal Impowering
the s^d M^r Robinson fully to Act and doe in the p^mises within
his Ma^{ty} Province of Maryland and the parts Adjacent accord-
ing to the Utmost Extent of the s^d Commission.

M^r Tho:
Robinson & al
Commission
out of the
Admiralty for
putting the
L^d Romneys
Patent in
Execution. . .

Produced also a Commission to the s^d M^r Rob-
inson and others under the Seal of his Ma^{ty} high
Court of Admiralty in England Dated the 17th day
of September Anno 1696: for putting the Com-
mission of the s^d Earle of Romney &^{ca} in due
Execution within this Province w^{ch} were all
Ordered to be Recorded in the hon^{ble} the Secry^{rs}

Office or Councill Book (which he thought most fit) Com-
manding all persons Concern'd to Yield due Obedience and
Conform themselves thereto accordingly and that a Just Acco^t
be given of what Prizes have been here tryed and Con-
demned and what his Ma^{ty} part of the Same is, which Acco^t
is to be Given by his Ma^{ty} Receiver and a Copy of the Pro-
ceedings by the Register of his Ma^{ty} Court of Vice Adm^{lty}
here within this Province upon the s^d M^r Robinsons application
for the Same.

Books & other
things dd:
by Coll
Greenberry at
the Board . . .

Delivered by his Hon^r Coll: Nich^o Greenberry
at the Board Two Bibles, Six Small Boaks, a brass
Lanthorn, perspective Glass and pocket Compass
together with Seaven Receipts where he had
lodged Seaven Barrills of Powder in Ann Arrundell County.

Sr Tho:
Laurence &
Coll Green-
berry's Motion
abt taking
Copy's of
Councill pro-
ceedings &c:

It is humbly moved by the Hon^{ble} Sr Thomas
Laurence Barron^t Secry^r and Coll Nich^o Green-
berry that they might be permitted to take Copy's
of what Councill proceedings either of them should
stand in Need off in Relation to an Action now
depending betwixt them, which was accordingly

Granted.

Lib. H. D. Sr T: L: Re-
quest tht an
Entry may be
made of his
demanding
Security of
Coll Green-
berry &ca

His Hon^r Sr Thomas Laurence desires an Entry may be made of his demanding Security of the s^d Coll: Greenberry, upon Score of the s^d Action (understanding he is going for England) and that upon Refusall, he gives him Notice he will Enter a Ne Exeat Provinciam against him.

for to Examin
any of the
Gent of the
Council

The s^d Sr Thomas further Pray's he may have liberty to examine any of the Gentlemen of the Council or other p^rsons he shall think Requisite touching the p^rmises—Ordered that the Same be Granted accordingly; and that the Kings Lawyers be Consulted what Security ought to be Given in that Case.

P. 503

June the 8th 1697.

The Councill again Sate and were p^rsent as Yesterday.

The Report of the Kings Lawyers concerning Persons giving good Security for Appeals &ca upon an Ord^r of Reference from this Board of the third of June Instant for Appeals &ca was produced and Read the s^d Reference and Report following in these Words Viz^t

By his Ex^{ncy} the Govern^r & Councill &ca

June the 3^d 1697

Reference &
Kings Law-
yers Report
abt persons
giving Secur-
ity for Appeals
&ca

Ordered that the Kings Lawyers be Consulted whether it may not be Necessary, that publick Notice be given to the Provⁿ and County Courts of this Province that the Justices may be Caution'd to see good and Substantiall Security taken for all Appeals &ca they shall admitt and allow off and for the Officers Concern'd in issuing forth all Chancery Writs where security is required that no such Writs may Issue unless the p^rsons Tender'd as Security be of Sufficiency and Vallue &ca Signed p Ord^r Hen: Denton Cl Councill

We do humbly Certifye our Opinion to be that such Notice and Caution as is within intimated, may not be amiss the Same not being contrary to the Law which is humbly Submitted to yo^r Ex^{ncy} by Yo^r Ex^{ncys} humble Serv^{ts}

George Plater
W^m Dent

Justices Or-
der'd to see
good Security
taken for all
Appeals &ca

Upon Representation and advice in Councill Ordered that publick Notice be Given to the Provinciall and County Courts of this Province whereby the Justices may be Caution'd to see a

good and Substantiall Security taken for all Appeals &^{ca} they shall at any time admit and allow off and that for all Chancery Writs where Security is required no persons be admitted for Security but what are of Sufficiency & Vallue. Lib. H. D.

Reference to the Kings Lawyers abt the Govr & Councils taking an Oath as a Court Ordered that it be Referred to the Kings Lawyers to consult whether the Govern^r and Council Constituted as a Court for hearing Appeals and Writs of Error &^{ca} ought not to have a peculiar and proper Oath Administred to them and that they make Report accordingly. Not yet Answered.

Vpon a Report of his Ma^{ty} Lawyers Laid before this Board in Relation to Sundry Judgm^{ts} obtain'd against Severall persons upon Penall Navigation Bonds in Compliance to a former Reference from this Board touching the Same—His Ex^{cy} is pleas'd to Rep^sent that the last Sessions of Assembly he had made a Promise to the House of Delegates that Execution should be Stopped untill his Ma^{ty} pleasure should be further known expecting the House would become humble Suit^r to his Ma^{ty} on their behalf for taking their Case into his Royall Consideration according as they then promised and had a Peticōn drawn to that Effect; Upon which Consideration and no other his Ex^{cy} made that promise, but finding nothing done therein, and that Severall of the persons ag^t whom such Judgm^{ts} are obtain'd, are Endeavouring to make away their Lands and Estates and so to defraud his Ma^{ty} of those Judgm^{ts} and that he is advised by the Kings Lawyers that if the Judgmen^{ts} be passed a year and a day they Cannot be Renewed but by Scire ffacias which dilatory process would Retard his Ma^{ty} of Recovering of his Right if it should be Required Sooner, besides Severall other Evasions and Illegall Methods taken for destroying his Ma^{ty} Intrest in the s^d Judgm^{ts} &^{ca} has Caused him to take measures accordingly, for prevention of those Illegal Courses and to Execute one Contrary to his ffirst intent; the Reference and Report follow in these words Viz^t P. 504

By his Ex^{cy} the Govern^r &^{ca} Ian^{ty} the 28th 1696.

Reference to the Kings Lawyers touching Conveyances made by psons vnder Execution for Navigation Bonds &c.

Whereas his Ma^{ty} having Obtain'd Judgm^t for Severall Sums of Money upon Acco^t of florieted Navigacōn Bonds for which his Ex^{cy} has given his promise that no Executions shall issue thereon untill his Ma^{ty} pleasure shall be further known and it being Rep^sented that some persons (since Judgm^t pass'd against them) have gone about or

Lib. H. D. at least Endeavour to Convey away or dispose of their Estates with intent to defraud his Ma^{ty} of such Judgm^{ts}.

Ordered that it be Referred to M^r Att^r and Sollicito^r Gen^l whether such Conveyances may be deemed legall, and to Advise what way may be most suitable and proper for his Ma^{ty} Service to Obstruct or hinder such fraudulent Conveyances whereby those Judgm^{ts} may Effect the Estates of those persons against whom they are Obtain'd from the time of their first passing.

Signed p Ord^r Hen: Denton Cl Council

To his Ex^{ty} the Govern^r &^{ca}.

Kings Law-
yers Report
upon the above
Case

In obedience to this Command my humble Opin-
ion is That if the parties herein prescribed doe
Convey away their Lands &^{ca} without any Reall
Consideracōn and with design on purpose to defeat his Ma^{ty}'s
Judgm^t against them; that Grant & Conveyance is Void in
Law, but if the Grant be not attended with them Circum-
stances of fraud the Grant may be good if made bonafide and
upon good Consideracōn for the Kings Judgm^t does not
Embargo the Land against Alienation legally made—his ma^{ty}
haveing it in his Royall pleasure to take Execution upon his
p. 505 Judgm^t when he thinks fit—therefore the only way to prevent
such fraudulent Conveyances with Submission to yo^r Ex^{ty}'s
wisdom is by Proclamation to give notice & Caution to all
Courts and Private Justices before whom any Land is to pass
by acknowledgem^t to Examine well the Parties and if they Se
Cause to Examine the Witnesses whether such Grant or
Alienation are bonafide and upon good Consideracōn without
fraud before they take the acknowledgm^t or Caption and if
they find by such Examination any acknowledgment fraudulent
and not bonafide and for good Consideration but only
to defraud his Ma^{ty} that they Refuse to take the acknowledgm^t
for the Same till the parties have Certificate from yo^r Ex^{ty} in
Council so to doe and for Caution to the Justices what per-
sons are thus to be question'd a Catalogue or list of all those
persons against whom Judgm^t is Obtain'd for the King may be
sent with the Proclamation the Consideracōn of which is Sub-
mitted to yo^r Ex^{ty}'s wisdom by

Yo^r Obedient Serv^t
W^m Dent

I am of the Same Opinion

George Plater
R: Gouldesborough

Reference to
the Kings
Lawyers how
the Kings
Judgm^{ts} may
be saved
without
renewing the
same by Scire
facias

Ordered that the Kings Lawyers give their Lib. H. D.
Opinion and Advice how those Judgm^{ts} recover'd
for his Ma^{ty}: on the Navigation Bonds may be
Saved and Secured to his Ma^{ty}: without Renewing
the Same by Scire ffacias and whether the Same
Can be legally done and that they make Report
accordingly to this Board with all Convenient Speed
Signed p Ord^r Hen: Denton Cl Council.

May it please yo^r Ex^{cy}

Kings Lawyers
Report vpon
the above
Case

My Opinion and Advice is that if in Case it
being not above a Year Since those Judgm^{ts} were
obtain'd for the King against the Severall De-
fend^{ts} yo^r Ex^{cy} may Indulge them in point of time without
doing prejudice to the King or being put to Sue Scire facias
against the Defendants by filing the Writs of Execution
against the Severall Def^{ts} in the Secry^{ss} Office which will keep
the Judgm^t in full force for another Year if the Writts be ffiled
within a Year after the Judgm^t Given and so from Year to
Year as long as yo^r Ex^{cy} pleaseth this is humbly Offer'd
by

R: Gouldesborough
W^m Dent
George Plater

Kings Lawyers
Report vpon
the above Case
Approved off
& a List of the
Names ag^t
whom
Judgm^{ts} have
passed
Order'd to be
sent to the
severall
County
Courts.

The s^d Report is approved off and Ordered
thereon that Executions Issue accordingly to be
ffiled in the Secry^{ss} Office whereby those Judgm^{ts}
by Virtue thereof may Effect the Estates Reall and
personall of the party's Concern'd to prevent his
Ma^{ty} of being defrauded by their Clandestinly Con-
veying and making the Same away; his Ex^{cy}
being willing to Suspend the Rigour of putting
those Executions in fforce untill his Ma^{ty} pleasure p. 506
shall be further known therein, And to the End
all persons may be Caution'd from purchasing lands or other-
wise from those party's that lye under the lash of those
Executions, It is hereby further Ordered that a list of the
persons Names against whom such Executions are filed be
sent together with this Ord^r to the Severall Countyes of the
Province to be made publick and Enter'd in the County
Records.

Mr Plater and
Mr Muschamp
Order'd to
make out each
of th^m 2
Acco^{ts} of th^s
last years
Revenue

Ordered that George Plater Esq Collecto^r and
Receiver of his Ma^{ty} Customs in Petuxant District;
and George Muschamp Esq Collecto^r and Receiver
of Potomock District within this Province make
out Each of them two Acco^{ts} of this last Years
Revenue to be sent for England by the Globe—

Lib. H. D. One to the R^t hon^{ble} the Lords of the Council for Trade and another to the R^t hon^{ble} William Blathwayt Esq Audit^r Gen^l.

Mr Jno West
Order'd to be
constituted
Nav^l Officer of
Pocomoke
District in the
Room of Maj^r
King decd

Ordered that a Commission be prepared to
Constitute M^r John West Nav^l Officer of Pocomoke District in Somerset County in the Room of Maj^r King lately decd: (being Recommended as a Capable person by Coll^r Hutchins) and that Copy of the Navigacōn Oath usually taken by the Coll^r and Nav^l Officers &^{ca} be sent over to his Hon^r Coll^r Brown who is hereby Ordered to Administer the Same to him accordingly and to deliver to him the Book of Rates and what other instructions was left in the possession of the s^d Maj^r King for his better guidance in his Office and that he make a due Return of his proceedings therein with all Convenient Speed.

Came George Plater Esq Collecto^r and Receiver of his Ma^{ty} Customs within Petuxant District and made Oath before his Ex^{ncy} in Council to ffour Severall Acco^{ts} this day Exhibited by him at the Board.

The State of
this last years
Revenue made
vp Order'd
to be laid
before the
Board &^{ca}

Ordered that a State of the whole Revenue this Year Collected by the Severall Officers, and Sworn to, be drawn forth to be laid before this Board, and Warrants issue to be Signed by his Ex^{ncy} for paym^t of his dues which was accordingly done as follows Viz^t

State of the
Revenue for
wch Warrts
issued A^o
1697.

His Ma^{ty} Acco^t of the 1st p hhd Collected by George Plater Esq and his Dep^{ty} within the District of Petuxant and George Muschamp Esq Coll^r of Potomock District A^o 1696/7. Viz^t

W ^m Aldern Dep ^{ty} Coll ^r of the Port of W ^m } Stadt his Acco ^t of the 1 st p hhd amounting to }	ll.	s.	d.
	124:	07:	0

Henry Denton Dep ^{ty} Coll ^r of the Port of } Annapolis his Acco ^t of the 1 st p hhd } amounting }			
	205:	12:	6

George Plater Esq his Acco ^t of the 1 st p hhd am ^{ts} to	998:	08:	6
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George Muschamp Esq his Acco ^t of 1 st p hhd am ^{ts} to	124:	19:	0
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	1453:	07:	6
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	ll	s.	d.	Lib. H. D.
W ^m Alderns addition ^{ll} 3 ^d p hhd am ^u to	31:	01:	09	p. 507
Henry Dentons Addition ^{ll} 3 ^d p hhd: am ^u to	51:	08:	01:½	
George Plater Esq his Addition ^{ll} 3 ^d am ^u to	249:	12:	03:	
D ^o for Tob ^o brought out of Virg ^a	3:	16:	00:	
George Muschamp Esq his Addition ^{ll} 3 ^d am ^u to	31:	04:	09:	
Ditto for Tob ^o brought out of Virg ^a	6:	17:	03:	
	376:	00:	01:½	

The Quarter part of the 1^d p hhd: by his }
Ma^{ty} Appropriated for Arms &^{ca} } 363: 06: 10½

Ordered that George Plater Esq his Ma^{ty} Receiver &^{ca}
apply the Same Accordingly.

The following Warr^{ts} pursuant to Ord^r being prepared for
paying his Ex^{cy} the three ffourths of the 1st p hhd: and the
Addition^{ll} 3^d p hhd were Signed by his Ex^{cy} accordingly, Viz

Warrt to Geo: You are pursuant to his Ma^{ty} Royall Instruc-
Plater Esq to tions to me bearing date at Whitehall the 8th day
pay his Ex^{cy} of March 1694/5 Viz^t
996^{ll}: 06^s: 4½^d

Whereas by an Act passed in the Assembly of Maryland
the 30th day of March 1679: An Impost of two shillings p hhd:
is laid upon all Tob^o Exported out of our s^d Province one
moyety of which Impost is by the s^d Act Appropriated for the
Use & Support of the Governm^t Our will and pleasure is that
towards the maintenance of the Governm^t of our s^d Province
you take to yo^r own Vse three ffourth parts of the s^d Moyety
of the Impost of 2^a p hhd: of Tob^o appropriated as afores^d by
the s^d Act, And you are to take especiall Care that according
to the intentions of the s^d Act the Remaining ffourth part of
the moyety of the s^d Impost be duly applyed towards the
maintenance of a Constant Magazine with Arms and Amu-
nicōn for the Defence of our s^d Province, and by an Ord^r of
Councill to pay unto me the Sumē of Nine hundred Ninety
Six pounds Six shillings and ffour pence half penny Sterl. for
which this shall be yo^r Sufficiēt Warrant Given under my
hand this 8th day of June in the Ninth year of his Ma^{ty} Reign
&^{ca} annoq Domini 1697.

To George Plater Esq Coll^r and Rec^r of } ff: Nicholson
his Ma^{ty} Customs &^{ca} within the District }
of Petuxant }
These.

Lib. H. D' Warrt to Geo: Plater Esq to pay his Excy 337^{ll}:18^s:14^d You are pursuant to an Act of Assembly of this Province passed the 18th day of October 1694: Entituled an Act for Settling a Revenue on his Ma^{ty} p^{re}sent Govern^r being an Impost of 3^s p hhd: upon every hhd: of Tob^o Exported &^{ca} and by Virtue of an Ord^r of Council this day to pay unto me the Summe of three hundred thirty Seaven pounds Eighteen shillings and three half pence Sterl. for which this shall be yo^r Sufficent Warrant Given under my hand this 8th day of June in the Ninth Year of his Ma^{ty} Reign &^{ca} Annoq Domini 1697.

To George Plater Esq Coll^r & Receiver
of his Ma^{ty} Customs &^{ca} within the Dis-
trict of Petuxant. } ffr: Nicholson
These

Like Warrts to Geo: Muschamp Esq to pay his Excy 93^{ll}:14^s:03^d:06 38:02:00 The like Warrants issued & Signed for George Muschamp Esq to pay unto his Ex^{ty} the three ffourths of the 1^s p hhd amounting to the Summe of Ninety three pounds ffourteen Shillings and three pence and the Additionall Duty of three pence p hhd: by him Collected in the District of Potomock amounting to the Summe of Thirty Eight pounds two shillings.

Pocomoke District has not Account- ed; the Offic^r being dead. The Acco^t of the s^d Dutys Collected within the District of Pocomoke not yet Come to hand; the Navall Officer that Collected the Same being lately dead.

Majr Thompson, Mr Jenkins & Majr Smith Order'd to be inserted in the Provll Comission Ordered that to the Prov^{ll} Commission there be aded in Cæcill County Maj^r John Thompson in the Room of M^r Jones Decd: in Kent County, M^r Thomas Smith in the Room of Coll Codd who by reason of Severall Infirmities of Body being not able to attend Business desires to be Excused—in Somerset County M^r ffancis Jenckins in the Room of Maj^r Rob^t King decd:

Message of the House of Delegates desiring the Enlargem^t of the County Commissions, Referred to the Kings Lawyers. . . . A Message of the House of Delegates of the ffirst of June Instant Desiring an Enlargm^t of the County Commissions, was taken into Consideracōn and Referred—which message and Reference follow in these words Viz^t

By the House of Delegates June the 1st 1697.

Lib. H. D.

This house humbly desires yo^r Ex^{ty} will give Ord^r that the County Court Commissions be Enlarged the limitting of them to tenn thousand pounds of Tob^o or fifty pounds Sterl. being a Great Grievance to this Province therefore we desire they may be as formerly.

Signed p Ord^r W Bladen Cl of De

By his Ex^{ty} the Govern^r & Councill &^{ca}

Ordered that the above matter be Referred to the King's Lawy^r for them to make Report whether the Law does not Limitt allready the s^d Commissions and whether the Same may be proper to be done.

The Same Came Reported as followes,

Viz^t It Seemeth to me that such a Commission as within p. 509 desir'd may be Granted it not being against any Act of Assembly.

R: Gouldesborough

Ordered that the Same be Referred to M^r W^m Dent his Ma^{ty} Sollicito^r Gen^l and that it be Quærid what the former Custom was and whether it is the Houses Opinion that all the County Commissions shall be Renewed.

p Ord^r Hen: Denton Cl Concil.

The Houses Opinion is seen by the Address for if one Commission is Enlarged it will be Regular to Enlarge all the former Custom was Variable Some times Enlarged and some times Contracted were the County Commissions which is humbly Submitted.

W^m Dent

New Commissions Order'd to issue to the severall Counties without limitting thm to any Summe

Ordered thereon that New Commissions issue out of the Secry^{ry} Office to the Severall Counties of the Province without Limitting them to any Summe as also a new Commission for holding the Prov^l Court &^{ca} And that the following p^{rs}ons be Comissionated accordingly.

Justices for the Prov^l & severall County Courts Appointed

Justices for the Prov^l and Severall County Courts of the Province, Now to be Constituted are as fol. Viz^t

Lib. H. D.

Justices for the Prov^a Court

Robert Smith	}	Esq ^r of the Quo- rum	Thomas Tasker	}	Esq ^{rs} Jus- tices.
Henry Lowe			Philip Hoskins		
Thomas Smith			Thomas Staley		
John Hammond			ffran: Jenckins		
Rich ^d Hill			John Pollard		
			John Thompson		
			W ^m Hatton		

ffor S^t Maries County.

Rich ^d Cloude	}	Gentl of the Quo- rum	Jacob Moreland	}	Gent. Jus- tices
James Keech			Sam ^l Cooksey		
Thom Waughop			Joshua Guibert		
John Lowe			W ^m Husbands		
Thomas Beale			Rich ^d Benton		

ffor Kent County

W ^m ffrisby	}	Gent. of the Quo- rum	John Hawkins	}	Gent. Jus- tices
John Hinson			Jn ^o Whittington		
Hance Hanson			Philip Hopkins		
James Smith					

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ffor Ann Arrundell County.

James Sanders	}	Gent. of the Quo- rum	John Worthington	}	Gent. Jus- tices.
W ^m Holland			Philip Howard		
Nich ^o Gassaway			John Dorsey		
Sam ^l Yonge			Seth Biggs		
			Henry Denton		

ffor Calvert County.

John Griggs	}	Gent of the Quo- rum	Sam ^l Holdsworth	}	Gent. Jus- tices.
John Bigger			ffran: freeman		
Walter Smith			John Hance		
W ^m Parker			Elisha Hall		
ffran: Hutchins			Thomas Smith		

ffor Charles County.

John Stone	}	Gent. of the Quo- rum	Philip Briscoe	}	Gent. Jus- tices.
W ^m Barton			Joseph Maning		
Hen: Hawkins			Rich ^d Harrison		
Sam: Smallwood			Ben: Hall		
Rob ^t Yates			Hen: Hardy		
			John Wilder		
			Thomas Tawney		

ffor Baltemore County

Lib. H. D.

Edward Boothby	} Gent of the Quo- rum	James Philips	} Gent. Jus- tices
George Ashman		John Hall	
Mark Richardson		Anto Drew	
John Thomas		Rich ^d Crumwell	
Thomas Richardson			

ffor Somerset County.

John Winder	} Gent. of the Quo- rum	Tho: Nuttall	} Gent. Jus- tices
Roger Woolford		Tho: Hopkins	
Thomas Dixon		Jam: Round	
Math: Scarborough		Edm ^d Howard	
John Bozman		Thomas Jones	
George Layfield		Stephen Horsey Arnold Elzey	

with a blank to be left in the s^d Commission for one person more (to be inserted by his Hon^r Coll: Brown) living Convenient to the Horekill for deciding Differences there.

ffor Dorchester County.

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Henry Hooper	} Gent. of the Quo- rum	John Mackeele	} Gent. Jus- tices.
Thomas Ennalls		Rich ^d Owen	
Thomas Hicks		Alexd ^r ffisher	
W ^m Mishew		John Tayler	
		Rich ^d Tubman	

ffor Talbot County.

James Murphey	} Gent. of the Quo- rum	Rich ^d Carter	} Gent. Jus- tices
Edward LLoyd		Rob ^t Mackline	
W ^m Hemsley		Hugh Sherwood	
Rich ^d Tilghman		Thomas Robins Jun ^r	
		John Coppidge	
		Matthew Smith	

ffor Cæcill County

W ^m Harris	} Gent. of the Quo- rum	Edw ^d Blay	} Gent. Jus- tices
W ^m Dare		Ebenez ^r Blackston	
Mathi: Vand ^r heyden			
Peter Byerd			

with a blank to be left in the Comis-
sion for two Names more to be in-
serted by his Hon^r James ffrisby Esq
as he shall think fit.

Lib. II. D.

ffor Prince Georges County.

Thomas Holliday	}	Gent. of the Quo- rum	}	John Smith	}	Gent. Jus- tices.
W ^m Barton				John Hawkins		
John Wight				Rob ^t Wade		
Robert Bradley				Sam ^l Magrowd ^r		
Rob ^t Tyler.				Thomas Sprigg		

Geo: Plater
Esq to write
to Cap^t Pag.
gen th^t the
Arms he sends
in be sanguin'd
&c.

Ordered that George Plater Esq his Ma^{ty} Receiver of Petuxant District write to Cap^t Pagan that the Arms which for the ffuture he send in, be Sanguin'd to keep them from Rust and to Signifye to him, that those he sent in last year are dispersed about the Countrey and tryed but are found to prove very bad, both Carbines and pistolls and that he send for the Rest of the flints that ffell short in last years acco^t

June the 9th 1697.

Mr Vangazelo
compt^t agt
Richard Lewis
& Ord^r thereon

Vpon Complaint made by M^r Jacob Vangazelo how that Richard Lewis one of the Carpenters by him imployed ab^t the State House worke has made great neglect of his time and is usually drunck every day by which means the s^d Work is greatly retarded and the s^d Vangazelo put to great Expence and Charge in maintaining him here, and little or no work done.

p. 512

Ordered that if in Case the s^d Lewis do not for the ffuture mind his work and Observe and follow the directions of the s^d M^r Vangazelo, his imployer the Sherriff off Ann Arrundell County do (upon Sight hereof) commit him to the Prison Dungeon there to Remain and be kept untill he shall better behave himself and make due Compliance in following his Work; and that the Gatekeeper make inquiry what Ordinary keepers Encourage the s^d Lewis to mispend his time by Creditting him beyond the Limits of a certain Ordinance of Assembly of this Province.

Coll Hutchins
Motion & Ord^r
for putting
Mr Cambells
Sffes Bond in
Suit

Vpon Complaint of the Hon^{ble} Coll: Charles Hutchins how that M^r Camell Sherriff of Dorchester County would not pay what publick Tob^o was Assigned to him in his hands—Ordered that leave be given to the s^d Coll: Hutchins to put the s^d M^r Camells Sherriff Bond in Suit, whereby he may be Enabled to Recover his Right.

Mr Charles Brebands Pet & Ord^r about Goods Seized . . .
 A Peticōn of Charles Breband about Goods Lib. II. D.
 Seized from him by Henry Denton Nav^l Officer
 of the Port of Annapolis, as being an Alien
 Merch^t &^{ca} Setting forth that he had been Nat-
 uralized in England but forgot to bring any Certificate thereof
 with him, therefore prayed time to send for England about
 it, and that in the Interim the s^d Seizure might be taken off

Ordered that the Peticōn^r giving good Security for
 Answering the Vallue of the Goods seized (if he don't pro-
 duce his Letters of Naturalizacōn or Denization or Some
 Authentick proofoe for the Same, within a year and a day
 from the date hereof) unto George Plater Esq his ma^{ty} Re-
 ceiver for the Use of his Ma^{ty} &^{ca} that then the prayer of the
 Peticōn^r be granted.

Mr Jno Chiles Ord^r to Mr Vangazell for a horse
 M^r John Chiles the Bearer hereof being sent
 by his Ex^{cy} S^r Edm^d Andros his Ma^{ty} Lieuten^t
 and Gov^r Gen^l of Virg^a on an Express to New
 York for his Ma^{ty} imedeiate Service, It is hereby directed and
 Ordered that M^r Jacob Vangazeloe do upon his Arrivall in
 Cœcill County take Care to provide him with a horse as farr
 as New Castle in Ord^r to his Dispatch.

June the 10th 1697.

The Councill again Sate and were p^rsent as before.

L^{ds} from the Gov^r of Virg^a abt 2 Men of War & 7 other Ships Arrived there . . .
 Produced and Read a Letter by Express sent
 from his Ex^{cy} S^r Edmund Andros his ma^{ty} Govern^r
 of Virg^a Dated the 4th of June Instant Signifying
 the Arrivall of two of his ma^{ty} ffrigotts and Seaven p. 513
 other Ships from England.

Lords of the Councill for Trade &c: L^{ds} abt severalls Read.
 Read also a letter by his Ex^{cy} Recd: from the
 R^t hon^{ble} the Lords of the Councill for Trade &^{ca}
 dated the 4th of ffeb^{ry} last past relating to Sev-
 eralls.

Lords of the Councils L^{ds} abt Capt Every & pyrats Read together with a printed Proclamation;
 Read afterwards a Letter recd: from the R^t
 hon^{ble} the Lords of his Ma^{ty} most hon^{ble} Privy
 Councill dated the 27th of August past together
 with a Printed Proclamacōn about one Cap^t Every
 alias Bridgman and his Seamen &^{ca}

Lib. H. D. Copyes of the
Lords L^{re} and
Procl abt
Capt Every
Order'd to be
sent to each
County to be
published

Ordered th^t all the s^d Letters &^{ca} be laid before the House of Delegates for their p^rusall Ordered that Copyes of the said Proclamacōn and Lords Letter touching the s^d Every and Pirates be sent to the Severall Counties of the Province to be made publick and that a Proclamacōn be prepared to issue, Comāding due and Strict observance of the same w^{ch} was accordingly done aud followes in these Words Viz^t

By his Ex^{cy} the Cap^t Gen^{ll} &^{ca} A Proclamacōn.

Maryland ss.

His Ex^{cy}
Procl abt
Capt Every &
other Pyrats
&c.

Whereas the R^t hon^{ble} the Lords of his Ma^{ty} most hon^{ble} privy Councill have by Letter of the 27th of August past Signified unto me how that one Henry Every alias Bridgman with divers other persons English and florreignⁿ having Run away with the Ship Charles the Second alias the Phancy had Committed Severall Acts of Piracy in the Seas of India and Persia &^{ca} and that their Ex^{cy} the Lords Justices of England had thereupon thought fit by Proclamation in his Ma^{ty} Name to require all his Ma^{ty} Adm^{ls} Comāders and other Officers at Sea and all Governⁿ Comāders and other Officⁿ whatsoever in his Ma^{ty} Plantacōns to Secure and Apprehend the s^d Henry Every alias Bridgman and other persons Nam'd in the s^d Proclamation and such others as were with them in the s^d Ship and whereas by further Information Given their s^d Lordp^s that divers Pyrates and Sea Robbers have of late years gone from Severall parts of his Ma^{ty} plantacōns in America to the Seas of India and Persia and other Remote parts upon the like Piraticall designes and that some of them have Return'd home again and dispersed themselves in his Ma^{ty} plantacōns with great quantities of Gold and other plunder, have Directed and Commanded that all such Pirates and Sea Robbers should be Seized and Apprehended &^{ca} A Copy of which Letter and Proclamation aforemention'd is herewith Sent and whereas by a Clause in another Letter by me Recd: from the R^t hon^{ble} the Lords of the Councill for Trade and florreign Plantacōns bearing date at Whitehall the ffirst day of ffeb^ry last, their Lordships have been pleasd to Signifye his Ma^{ty} pleasure to the respective Governⁿ of all his Plantacōns be very Carefull that noe Pyrates or Sea Robbers be any where Shelter'd or Entertain'd under the Severest penalties a Copy of which Clause is likewise herewith sent in pursuance of which s^d two Letters and Proclamation I doe hereby in his Ma^{ty} Name Strictly Charge and Comānd all Officers Military & Civill and all other his Ma^{ty} Loving

p. 514

Subjects within this Province punctually to Observe and Lib. H. D.
Obey the Severall directions and Orders in the Same Con-
tain'd requiring the Severall Sherriffs to make publication of
the Same together with this Proclamation in all Churches
Chappells and other publick places within their respective
Counties whereunto all persons are to yeild due and Ready
Obedience and Conform themselves accordingly at their
Utmost perill; Given at the port of Annapolis under the
Broad Seal of the Province this 10th day of June in the Ninth
Year of his s^d Ma^{ty} Reign &^{ca} Annoq Domini 1697.

ffr: Nicholson

God Save the King.

Capt Andrew
Douglas L^{re}
to his Ex^{cy}
abt his
Arrivall &^{ca}

Read likewise a Letter by his Ex^{cy} recd: from
Cap^t Andrew Douglass Comander of the Harwich
Signifying his Arrivall in Virg^a with Some other
Ships, and that the time appointed for his Stay in
those parts was limited to 30 days Ordered that Copy of
the s^d Letter be Sent to the Severall Coll^{rs} &^{ca} and Sherriffs
to be made publick.

Ord^r to the
Coll^{rs} &^{ca}: not
to clear any
Ships without
giving security
to joyne the
Harwich. . . .

Ordered that noe Ships or Vessells whatsoever
(now bound for Europe) be Clear'd by any of the
Coll^{rs} or Nav^l Officers within this Province without
giving Security to goe downe to Point Comfort In
Virg^a to Joyne his Ma^{ty} man of Warr Called the
Harwich and South Sea Castle there lately Arriv'd in Ord^r to
Sayle with them for England and that the s^d Coll^{rs} and Nav^l
Officer Conform themselves accordingly

Geo: Plater
Esq Rec. of a
L^{re} from Esq
Blathwayt abt
the Revenue

Deliver'd at the Board unto George Plater Esq
Coll^r and Receiver of his Ma^{ty} Customs in Petux-
ant District a Letter this day brought by Express
(amongst other Letters) from the Colony of Virg^a
indorsed by the R^t hon^{ble} W^m Blathwayt Esq
Audit^r Gen^l the s^d M^r Plater Signifying that the
purport thereof was in Relation to Remitting a
Right State of the Revenue for England; he is
asked by his Ex^{cy} whether he did not formerly
Receive Severall Orders and been often Call'd upon about
those Acco^{ts} and particularly again this Councill before the p. 515
Receipt of the Letter who does acknowledge he has, and that
he has pursuant thereto Sent the Acco^t Home by his ffeet in
the Method prescribed. Ordered th^t he prepare Duplicates to
be sent pursuant to an Ord^r of this Board the 8th instant.

It is demanded
of him if he
did not for-
merly Receive
severall Ord^{rs}
abt the Same
&^{ca}.

Lib. H. D. Coll^{rs} & Navall Officers
 Ordered to bring all Certificates, Bonds & Cocquets &c: to be lodged in the New State house

Ordered that the Severall Coll^{rs} and Nav^l Officers within this Province doe by some Safe Conveyance Transmit or bring into the Port of Annapolis by or before the second Tuesday in October next all Bonds Certificates Cocquets and other Papers whatsoever respecting their Severall Offices in Ord^r to be ffiled in the New State House within this Port, pursuant to a late Act of Assembly in that Case made and provided and that from hence forward they made an Annuall Return according to the directions of the s^d Act.

June the 11th 1697.

The Councill again Sate and were p^rsent as Yesterday

Complaint ag^t Mr Walter Cambell high Sffe. of Dorchestr County & some other pson Ordered to be Comissionated

The Board proceed to Settling the Sherriffs of the Severall Counties Viz^t It being Represented by severall persons and particularly upon Complaint of the hon^{ble} S^r Thomas Laurence Baron^t Secry^r Coll: Henry Jowles, Coll: Charles Hutchins, and others, that M^r Walter Camell high Sherriff of Dorchester County has made Severall breaches in the Execution of his Office and failed in Answering Severall dues as he ought. It is therefore Considered, that some other person be Commissionated in his Stead.

Mr Layfield & Dixons Pet ag^t Majr Whittington Sffe of Somerset County. Refer'd to the Justices of tht Co: Court

Read a Peticōn of George Layfield Esq and M^r Thomas Dixon of Somerset County wherein was set forth Some Complaint ag^t Maj^r William Whittington present Sherriff of that County in the Misfeasance of his Office giving Some reasons inductive to displace him but an Acco^t being given of a certain Representation sent from the Grand Jury of that County Court, concerning the Good behaviour of the s^d Maj^r Whittington in the Managem^t of his Office during his Shrivallry and wherein they Pray he may be Continu'd in the s^d Office.

Ordered that as well the s^d Peticōn as Rep^rsentacōn be Sent to M^r Francis Jenckins Chief Justice of that County Court who is hereby directed and Ordered forthwith to

p. 516 Sumons the rest of his Brethren his Associates to Some Convenient place, and make Return of two good & Substantiall men whom they think most Capable for the Executing such a Trust unto his Ex^{cy} the Govern^r at the port of Annapolis with all imaginable Speed; to the End one of the s^d p^rsons may be Commissionated.

Proceedings of the Council of Maryland, 1696/7-98. 135

Mr Jno Wests A Commission Constituting M^r John West Lib. H. D.
Navall Officers Nav^l Officer of Pocomoke District was pursuant
Comission to Ord^r prepared Signed and Sealed by his Ex^{cy}
Signed & at the Board and deliver'd to Coll: Hutchins
Seal'd by his together with the Ord^r of Councill and Copy of
Excy &c^a the Oath of Trade and Navigation to be Administred to the
s^d West with directions likewise for taking good Bond for
the Execution of his Office.

At the Port of Annapolis, June 11th 1697.

Maj^r Edwd Then Recd: of his Ex^{cy} ffancis Nicholson Esq
Dorseys Rect Cap^t Gen^l & Gov^r in Cheif of maryland &c^a Two
to his Excy for hundred and Twenty two Dollars, amounting to
lb s. d the Sum of fforty nine pounds nineteen Shillings
49: 19: 00 pd sterl. being in part Satisfaction of what was Con-
for towards tracted for towards building the Church & Schole
building the within the s^d Port ; I Say Recd by me the day &
Church &
School

Year aboves^d

Test

Edward Dorsey

Hen: Denton

John Morrogh

June the 12th 1697.

The Councill again Sate and were p'sent
His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l &c^a

S^r Thomas Laurence Baron^t Secry^r }
Co^l Nich^o Greenberry }
Co^l Charles Hutchins

A Sffes Comis- Ordered that a Commission for a New Sherriff
sion for Dor. in Dorchester County be prepar'd with the other
Co: Order'd Usuall Instruments with a blanck to be left for
to issue with the Name to be inserted by the hon^{ble} Coll:
a blanck to be Charles Hutchins whom he thinks fitt to put in;
left for the this Board not being Rightly Inform'd about one
Name to be at present.
inserted by
Coll Hutchins

Nine Sffes Ordered that the Commissions issue a New to
Comissions the Sherriff of S^t Maries, Kent, Ann Arrundell,
Order'd to be Calvert, Charles, Baltemore Talbot, Cœcill and
Renew'd Prince Georges County's thereby Constituteing the p'sent
sherriff of the s^d Severall Counties with full Power to Act and
be Continued in their respective Offices and places for the
next Year Ensuing but that Caution goe therewith to the

Lib. H. D. Commissionⁿ of the s^d Counties to take Care good Security is Given pursuant to the directions of the late Act of Assembly in that behalfe.

Mr Plater
makes Oath
to severall
Lists of Ships
& of persons
Names ag^t
whom his
Maty has ob-
tain'd Judgm^{ts}

Came George Plater Esq Coll^r &^c of Petuxant District and his Ma^{ty} Attorney Gen^l of this Province and made Oath to Severall lists of Ships and lists of persons Names ag^t whom Judgm^{ts} have been Obtain'd for his Ma^{ty} upon Navigacō Bonds and of such as are now in Suite &^{ca}

p. 517 His Ex^{cy} is pleas'd to Demand of the Board if they have any thing further to Offer at p^rsent who Say they hav not.

By his Ex^{cy} the Govern^r &^{ca} June 15th 1697.

ffield Officers
Order'd to
View & change
the publick
powdr & get
the Arms fixt
&c :

Ordered that the ffield Officers take Care to View the Publick Powder belonging to the respective Counties and see that it be Conveniently placed and what cannot be sold this Year that Care be taken the same may be changed, and the Tob^o Leavyed this ffall to make up the loss pursuant to the Ordinance of last Assembly herewith sent. It being Imagin'd that if the Same should not be changed this Year it will be totally Spoyled, and lost to the Countrey And it is hereby further Ordered that the Severall Arms be put out to be ffixd and that they also be conveniently placed and well kept pursuant to the s^d Ordinance.

Signed p Ord^r Hen : Denton Cl Concil

Harwick Point Comfort June 4 1697

Capt Douglass
Lre to his
Exncy about
his Arrivall

Hon^d Sir

These Advises of my Arrivall with another Man of Warr & some Merchant Ships in this Port on the 2: instant in ten weeks passage from Portsmouth there being a small Pacquitt and 5 other Letters Committed to my Care Directed for you have for the more Speedy Conveyance thereof delivered them to M^r W^m Edwards Merch^t in James Town who will forward them by an Express I being only to Continue in this Colony 30 days and no longer and then to Return home again with what merchant Ships is Ready to Joyn me in that time Desiring th^t if there be any in yo^r Colony that is or may be ready to Sail with me at the Expiration of my limited time th^t they may have Notice to repair

to me, as also the flavour of a line to know what Ships there Lib. H. D.
is with you, that I may Expect and to know yo^r Receipt
hereof in the mean time if I can Serve you in any thing here
or at my Return to England.

Pray ffreely Command yo^r Hⁿ

Very humble Servant

Andrew Douglass

Port of Annapolis, June the 12th 1697.

Maryland ss:

His Ex^{cy}s

S^r

Answer to

Capt Douglass

L^{ro}

I had the fflavour of yo^{rs} of the 4th instant two
days agoe with a Pacquet and L^{res} for w^{ch} I desire
you will please to Accept of my hearty thanks. I am very
Glad it hath pleased God to give you a Safe Arrivall in Virg^a
I have given Orders for making publick in this his ma^{ty}
Province the day on w^{ch} you intend to Sail for England th^t our
Ships and Vessells may goe under yo^r Convoy and inclosed
is a list of them.

If your Occasions will give you leave I shall be very Glad
of having the ffortune of Seeing you here, but if I can be any
ways Serviceable to you upon Notice it shall be done by yo^r
very

humble Servant

ffr: Nicholson

A list of what Ships are within the District of Petuxant in
Maryland Bound for Europe.

A List of the
Ships in Mary-
land sent to
Capt Douglas

- 1 : The Providence of London Thomas Pitts Comādr
- 2 : The Globe of London John Harris Comāder.
- 3 : The Samuel & John of London Owen Philips
- 4 : The Loves Increase of White haven ffrancis Grindall.
- 5 : The America of Bideford, William Curtis.
- 6 : The Happy Return of Bideford, at Annapolis John
Rock Comand^r
- 7 : At Williamstadt the Barbadoes merch^t of Liverpool Rob^t
Midleton.
- 8 : at the same place One Small White haven Ship.

George Plater Coll^r

Lib. H. D. An Acco^t of what Ships were in Potomock District of Maryl^d the 26th of May 1697.

The Loyalty of Leverpoole Henry Brown Master.
The Charity of Liverpool Ralph Williamson Master
The Planto^r of Liverpool John Rymour Master.
The of Liverpool Andrew Morpas Master
This is all I know off.
W^m Dent Nav^l Offic^r

The Names of the Ships now in Pocomoke District in Somerset County Maryland.

Endeavour Dublin English Ship 80^{Tuns} W^m Ligott Coman-
der.

p. 87 Dauphin White haven English Pink 80 Tuns Edw^d Tower-
son Command^r Ditto A White haven Ship I cannot Rememb^r
Ship or Mast^r name now Riding at Nantecoke

Rachell New York, pt: Sloop 20: Tuns Lucas Kerstead
Comand^r

June 12th 1697. To the best of my knowledge, Test
Geo: Layfield Coll^r

Boston May the 29th 1697.

p. 95 Gov^r Stough-
tons L^re to his
Ex^{cy} about
sending
Assistance to
New-found L^d

S^r

I send you here inclosed a Copy of his Ma^{ty}
Letter, w^{ch} I Received by an Express arriving the
24th currant being heartily Sorry that this his Prov-
ince are at this Juncture so much incapacitated to
Comply with his Ma^{ty} Comands and Expectations therein.

Yo^r Ex^{cy} cannot be altogether unsensible of the very sore
Impressions which the Warr has made on this part of his Ma^{ty}
Dominions, not only in the heavy losses and Taxes Sustained
by his Subjects here, but especially by the failing of the two
last Years Crops w^{ch} has so impoverished and Streightn'd them
that very many ffamilies at some seasons within these two
Years past have not eaten a peice of Bread in a months time
or more together And all sorts of Provisions by reason of the
Scarcity thereof and the demands for Carrying on of the Warr
have been at such excessive Rates th^t the heads of ffamilies
can scarcely produce so much by their Labour as to purchase
what is absolutely Needfull for the Support of their ffamilies.
Nor is there a Sufficiency of Provisions here for the Necessities
of the Province.

The Generall Assembly now sitting have under Consider-
ation the Import of his Ma^{ty} Letter. In the mean time I
esteemed it necessary for his Ma^{ty} service, to make yo^r Self ac-
quainted with his Comands in this Respect not doubting of yo^r
Readiness to encourage the sending of such Provisions,

Victualls and Refreshm^{ts} (wh^{ch} are more plentiful within yo^r Lib. H. D. Governm^t and from whence a great part of our Supplies are fetcht unto Newfoundland, as may be Needfull for his Ma^{ty} Ships and Land fforges imployed on the Expedition thither, the Success of w^{ch} is of great Import to the whole Nation, and these Colonies particularly concern'd therein, and I am Ex-treamly Sollicitous that it be not disappointed through the failing of Supplies, Vessells for the transporting of which will be Easily procured here; if you stand in Need thereof. I am

Hon^{ble} S^r
Yo^r affectionate ffreind & Serv^t
W^m Stoughton

I have also here inclosed a Coppy of a letter from Christopher Codrington Esq Cap^t Gen^l of his Ma^{ty} Leward Carribee Islands to the Govern^r of Bermuda, giving an Acco^t of the Motions of the English & ffrench Squadrons of Men of Warr in the West Indies, with a list of the Ships &^{ca} in the English Squadron, not knowing but some particulars therein may be New unto yo^r Ex^{cy}

Gov^r of Maryland.

At a Councill held at the Port of Annapolis the 24th day of June in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1697.

Present

His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Secry^r }
Thomas Tench Esq }

Read a Summons issued this day for Calling a Councill as follows, Viz^t

Port of Annapolis June the 24th 1697.

Hon^{ble} S^r

Some business presenting, importing his Ma^{ty} Service, which requires the meeting of his Ma^{ty} hon^{ble} Councill to Consult the Same; this Comes by Ord^r to Signifye that your Attendance is Required accordingly here this day to give dispatch to the s^d Business or that you send an Answer in writing of the Reason which may obstruct or hinder your not Coming.

Signed p Ord^r Hen: Denton Cl Concill.

One of the above was sent to the hon^{ble} Coll: Henry Jowles Keeper, Coll: Nich^o Greenberry, and Thomas Tench Esq.

Lib. H. D. M^r Sherriff being call'd to make Return of the s^d Summons issued produces to the Board a Letter of Excuse from the hon^{ble} Coll: Henry Jowles keeper (in answer to the Summons this day sent) setting forth the Reasons of his not Coming to Councill, which was Read.

His Ex^{cy} is pleased to Say that if he Cannot attend his Ma^{ty} Business here in Town, he does not think fit that the Broad Seal of the Province shall be kept in a little private Countrey House, where it may be lyable to danger and hazard every
p. 519 moment in being misapplyed besides other inconveniencies; the s^d Coll: Jowles having oft times had Notice given him to Reside in Town for the Convenience of dispatch of Business, but has hitherto deferr'd it. Ordered therefore that the hon^{ble} S^r Thomas Laurence Baron^t Secry^r goe to Morrow Morning and Demand the Broad Seal of the s^d Colonell Jowles who is hereby directed and Ordered to deliver the Same accordingly, and that it be brought by the s^d S^r Thomas and deliver'd up unto his Ex^{cy} the Govern^r at the Port of Annapolis forthwith.

His Ex^{cy} is pleas'd to say that he will give the keeping of the Broad Seal of the Province to any of the Gentlemen of the Councill from Coll: Jowles that will Come and live in Town not thinking it proper nor Safe to be kept else where, besides other inconveniencies attending.

Afterwards Read a Letter sent from M^r Charles Greenberry Son of the hon^{ble} Coll: Nich^o Greenberry, which gives an Acco^t that his ffather is not at home and that he is so very lame where he is that he Cannot possibly travell. His Ex^{cy} is pleas'd to Say that there being a Gentleman come with a Deputacōn from the R^t hon^{ble} the Commⁿ of his Ma^{ty} Customs for being Coll^t of the District of Pocomake caused him to issue Sumons's for calling a Councill (the rest of the Gent. living so Remote that they could not quickly be sent to and got together) and Considering that it will be Necessary for his Ma^{ty} Service to give dispatch to that matter, by now admitting the s^d person into his Office—Ordered therefore that he be admitted and dispatcht away to looke after his Charge accordingly.

Then produced by his Ex^{cy} to the Board a Letter by him rēcd from the R^t hon^{ble} the Commⁿ of his Ma^{ty} Customs Dated 15th of ffeb^y last past; thereby Signifying their having issu'd their Deputacōn to M^r David Kennedy to be Coll^t of the Rates and Duties imposed by the Act made in the 25th year of the Reign of the King Charles the Second at Pocomake in the Province of Maryland &^{ca} The s^d M^r Kennedy is Call'd in, who Comes accordingly.

He is asked to shew his Deputacōn, which he produced and the Same was by Ord^r Read—Ordered that the Same be Recorded together with the foremention'd Letter.

He is Asked if he Ever took the Oaths Appointed by the Lib. H. D. Act of Parliam^t to be taken instead of the Oaths of Allegiance and Supremacy—who says he has not. Whereupon the s^d Oaths were Administred to him, as also the Oath of Trade and Navigacōn by his Ex^{cy} in Councill and afterwards he Subscribed to the Test.

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His Ex^{cy} is pleas'd to ask him if he can think of any thing whereby his Ma^y Service may be promoted in the way of his Office, and he will give all Necessary Ordⁿ for his Assistance therein; directing him to make what Dispatch he Can to the Execution of his Office, Saying that there are Some Ships in those parts now and more dayly Expected and does acquaint him that th^t District is a place where illegall Trade is (or at least hath been) most Vsed, and therefore will Require his more particular Reguard and that there is a place Called the Inlet, in that District, where Tob^o has been some time privately Exported, which place ought to be well watch't intimating that he has placed an Officer there, whom he would doe well to hold Correspondence with, as also with the Nav^y Officer there appointed for that District. And for his better Guidance in his Office, his Ex^{cy} is pleas'd to tell him that he shall Receive an Ord^r to M^r Layfield the former Coll^r to Surrender up to him the Book of Rates Several Copes of L^{res} from the R^t hon^{ble} the Commⁿ of his Ma^y Customs about Illegall Traders, together with Severall Instructions and Orders of Councill &^{ca} in relation to his Office and printed Certificates &^{ca} directing him to apply himself to the Clerk of the County Court for what Laws of this Province may any ways concern Trade, whereby he may every way rightly qualifye himself for his Office.

Ordered that George Layfield Esq Coll^r of his Ma^y Customs in Pocomoke District within this Province do upon Sight hereof Surrender up unto David Kennedy Esq the Bearer hereof, the Book of Rates together with all Instructions or Letters by him at any time Rec^d from the R^t hon^{ble} the Commⁿ of his Ma^y Customs or from his Ex^{cy}; as also Ordⁿ of Councill, Proclamations, Bonds, Certificates, Cocquets, printed Certificates, and other Papers any ways respecting his s^d Office, the s^d M^r Kennedy having this day been admitted and sworn his Ma^y Coll^r of that District, hereby directing a list to be made of what things are deliver'd; whose Receipt thereon will be sufficient discharge to the s^d M^r Layfield for all the foregoing matters, which s^d list or an Authentick Copy thereof is to be transmitted unto his Ex^{cy} at the Port of Annapolis with all Convenient Speed.

Produced a Letter by his Ex^{cy} recd: from his Ex^{cy} S^r Edmund Andros his Ma^y Govern^r of Virg^a of the 12th of June Instant which was Read as followes Viz^t

Lib. H. D. S^r I Recd yo^r Ex^{acys} Letter of the 4th of June Instant Inti-
p. 521 mating your transmitting Some proceedings of a Comitte for
Indian Affairs, relateing to the Piscattoway and Accokick
Indians, which I forthwith laid before the Council here, being
then in Town; and upon due Consideracōn do not under-
stand the meaning thereof; But if any miscarriage hath been
by any Indians in this Governm^t that it ought to have been
first Signified here for Orders therein, before any such
proceedings I am

Yo^r Ex^{acys}
humble Servant
E Andros

James Town the 12th of June 1697.
Govern^r of Maryland.

Ordered that an Answer thereto be Writ which was done
as followes, Viz^t

Maryland Port of Annapolis, June 24th 1697.

S^r

A Letter of your Ex^{acys} of the 12th of June instant I have
Recd: and mine to you of the ffourth instant was as short and
as intelligible as I could, so that it might not admit of a
double meaning, as some have Endeavor'd theirs should do.

I must Confess that I have so little understanding that I
don't pretend to teach or find others any. Those Gentl
which were sent by our Assembly to the Piscattoway and
Accokick Indians of this his Ma^{ty} Province of Maryland had
Instructions to give yo^r Ex^{acy} an Acco^t of their Arrivall in yo^r
Governm^t and of their Business, before they went to the s^d
Indians, as also when they Return'd, what they had done,
which Instructions were from the House of Delegates, his
Ma^{ty} hon^{ble} Councill and

Yo^r Ex^{acys}
humble Servant
ffr: Nicholson

Gov^r of Virg^a

Produced and Read a Letter by his Ex^{acy} recd from the
hon^{ble} Coll: David Brown of Somerset County Dated the 15th
Instant as also another from M^r ffrancis Jenckins of the Same
Date giving an Account of their sending therewith Severall
Nav^l Papers of Maj^r Rob^t King decd: in pursuance of a late
Ord^r of his Ex^{acy} to the s^d End and purpose; which papers the
s^d M^r Jenckins (Son in Law to the s^d Maj^r King) writes were
a great distance from his Mother in Laws House in Ord^r for
his s^d ffathers Voyage for Annapolis to wait upon his Ex^{acy}
had not Death put a Period to his days. The s^d Papers were

by Ord^r inspected and found to be Nothing but Bonds, Certificates and Some lists of Shipping. Lib. H. D.

Ordered that the s^d Coll: Brown and M^r Jenckins be writt p. 522 to, that they may be acquainted with the Receipt of the s^d Papers and take Care of all other papers to be deliverd to M^r West the p^rsent Nav^l Officer and that the Acco^{ts} and bills be sent over to his Ex^{cy} by the ffirst oportunity, or otherwise to George Plater Esq his Ma^{ty} Rec^r in Ord^r that the Quarter part thereof may by him be laid out for Arms &^{ca} pursuant to his Ma^{ty} Royall Instructions.

Produced and Read the Return of the Gentlemen Sent upon the Indian Treaty. Ordered that the Same be Enter'd in the Journall of this Board; the which followes in these words Viz^t

Virg^a June 8th being Tuesday 1697.

Journall kept by the Severall persons appointed by his Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l & Govern^r in Chief in and Over his ma^{ty} Province of Maryland and the members of the House of Delegates in Assembly by them Instructed to treat with the Piscattoway Indians at the mountains or else where.

About nine a Clock at Night we Arrived at Cap^t Masons where we understood that ab^t Twenty Indians past by that day to M^r Ousleys; Cap^t Mason not being at home could not be Inform'd what Indians they were, therefore the next morning Early, being wednesday we Rid to the place where they were Setled and planted Corn some time before. We found them to be part Pomunkey, the Mattawoman King, and Some Piscattoway Indians; We then Treated with them and discovered our business. He imputed the Cause of his Going away to the Piscattoways, and assured Us if the Empero^r would not returne to the place of his former abode, they would either Joyn with the Choptico Indians or Settle at Pomunkey, but would not Conclude upon Either till they understood what the Emp^{ty} answer and Resolutions were; We then Returned to Cap^t Masons and from thence writ to his Ex^{cy} S^r Edmund Andros, as p Copy herewith sent, about nine a Clock the Same day, being the ninth, we set out towards the Mountains, and with much difficulty forceing through thickets and deep Runes of Water that no path appeared, We got within Seaven miles of the Indian ffort and lodged that night, Early the next morning being Thursday, the 10th instant we got to the ffoot of the Mountain, from thence toyled in walking up and down the s^d mountain to the ffort, which Judged to be at least two miles. The s^d ffort is built between p. 523

Lib. H. D. two mountains and Corn planted on the West side, The Emp^r recd us Chearfully. In Some time we Signified to him that we were sent by his Ex^{ty} the Govern^r of Maryland and Assembly to Treat with him and his Great men and desir'd that he would call together that we might Conferr. He answer'd that Some were abroad when the Sun lower'd, he Expected them in; We patiently waited till about two a Clock, then pressed the Empero^r again to Call his men together, to which he complied and Came and Sate down with Us. Then by our Interpreter we let them all know that we were sent by his Ex^{ty} the Govern^r of Maryland and Assembly Sitting when we parted from Annapolis to know the reasons why they deserted their habitacōns in Maryland and to make proposalls to them. Vpon which we Read the Articles of Peace made with them in Govern^r Copleys time and the Confirmation of the Same in Anno 1696, with Govern^r Nicholson and Assembly. All which they remember and acknowledged. We Quærid whether there was any breach of any of those Articles made of our parts of which one of the Young men made Complaint against James Bigger that he threatened to shoot him for hunting on his Land Robert Gater he also Complains off that he stole a Deere from him. As to the last Article the Emper^r Answer'd that he tender'd his Ex^{ty} Gov^r Nicholson the Bowe and two Arrows who Ordered him to pay the Same to Coll: Darnall for the Lord Baltimore's use, to whom the Empero^r says he owes no Tribute nor Subjection but to the King of England, to whom he is ready to pay.

Then was read and Interpreted to them the proposalls sent by Us, to which they Answer'd, that the Occasion of their flight So suddenly and in that manner, was to Secure their Wives and Children; for they Understood that the English forces were Ordered to Come down upon them in a few days, this they heard by Severall persons which put them in great ffright they did not think themselves Secure till florted in that place or to that Effect.

We blamed them for not applying themselves to Some of the Governm^t for better Satisfaction They Answer'd that they found Coll: Addison Spoke angry to them, therefore
 P. 254 Concluded all the English were likewise Angry; Upon w^{ch} Coll: Addison repeated his discourse with the Empero^r and as near as he Could the purport of what was sworn against him; which we added was occasion Enough for the Coll: to speak and the whole Countrey to Suspect them to be Guilty of the murder of the Negro. We further told them that the Circumstances were high thō we could not prove it more possitively against them To which the Empero^r Answer'd that

God knew who murder'd the Negro, he did not, and that he would not tell a lye, & further that he Loved the English so well that he would not injure their persons or Estates or to this purport. Lib. H. D.

As to making Satisfaction for the Negro to the Owner for his loss, desir'd further time to give their Answer, which we Assented to, So proceeded to the other Articles. They Seem'd to be very well pleas'd and chearfully Answer'd that they would Return as soon as possibly they could into the Governm't of Maryland and settle either at their old ffort nigh Piscattoway or about Rock Creek, that they might not any more annoy the Inhabitants Stock or Occasion any differences between them and the English; but they could not remove their ffamilies till the next Spring, Corn being planted and wed there, and ffourishing; the women and Children not able to travell. That is the properest place for hunting the next winter likewise.

Then the Emper' and his men withdrew, and about Nine a Clock that Evening he return'd with his great men to Us again and Signified that thō they were not Guilty of the murder of the Negro, yet for peace and out of their Affection to the English they would give reasonable Satisfaction, but hoped we would Consider their poverty, then propose what would Satisfye. We demanded only Eighty Buck Skins, what the Committee first proposed, they readily complied with promise of paym't which induced us with Consideracōn of their Lowe Estate to abate them Twenty Skins. they paying Sixty in two Years, which they Agreed to.

Then we proposed to them to Send Some Indians with us to take possession of their ffort and what charge they had there; they Answer'd they would, accordingly did the next Morning being ffryday the 11th day as soon as we got our horses parted with the Empero' and his Indians very good p. 525 ffriends and took their directions to Avoid the dangerous Runes and ways that we passed upwards. about Noon one of our horses tired, we drove him as ffarr as we could, then M'r Hutchins and M'r Hawkins's Man Offer'd his Service to tarry with the Horse an hour or two till he was Refreshed then he would drive him to the inhabitants we Judged our Selves about ten miles distant when we parted with the Man, but found our Selves mistaken that we could not get to any plantacōn but lodged in the woods On Saturday the 12th we got to a Plantacōn in the Woods and were directed into the main Road. About ten a Clock Came to one Giles Vander Castels house with whom we left a letter directed to Cap't George Mason for Covert to our Letter directed to his Ex^{acy} S'r Edmund Andros—whilst we tarried at the s^d House

Lib. H. D. the man left with the Horse Came not in; we Came to the River Side and got over to Maryland; about ffour a Clock in the Afternoon parted.

Thomas Tench (Seal)	W ^m Barton (Seal)
John Addison (Seal)	Philip Hopkins (Seal)
Thomas Brooke (Seal)	W ^m Hutchison (Seal)
Jam ^s Smallwood (Seal)	John Wight (Seal)
Walter Smith (Seal)	John Hawkins (Seal)

At Cap^t Masons, June the 9th 1697.

In Obedience to his Ex^{cy} Govern^r Nicholson, his Ma^s Councill of the Province of Maryland and the House of Delegates Ord^r and Com^{and} to Come into this yo^r Governm^t in Ord^r to a Treaty with Some Indians that have deserted their Habitacōns in the Province of Maryland according to Instructions given to Us, a Copy of which his Ex^{cy} our Govern^r Sent by Express to yo^r Ex^{cy} which we hope is Come to your hand, in pursuance of the s^d Instructions, we are going to the mountains, where we understand the Empero^r of Piscattoway and other of our Neighbouring Indians are Seated at our Return shall give yo^r Ex^{cy} an Acco^t of our proceedings in that Affair according to Ord^r given

Yo^r most humble Servants

John Wight	Walter Smith	Thomas Tench
John Hawkins	W ^m Barton	John Addison
	Philip Hoskins	Thomas Brooke
	W ^m Hutchison	James Smalwood

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Near the Potomock, Virg^a June the 12th 1697.

May it please yo^r Ex^{cy}

At our Coming over into Virg^a from Cap^t George Masons we gave yo^r Ex^{cy} an Acco^t of our design, knowing yo^r Ex^{cy} had our Orders sent by our Maryland Post. We have been up with the Empero^r of Piscattoway at his ffort beyond the ffirst mountain; who Calling his Great men together readily Complied to our proposalls, being willing to Return into Maryland again making Satisfaction for the Negro, thō still denies the murther and that they give this Satisfaction rather than have any difference, which we humbly Signifye to yo^r Ex^{cy} & Remain

Yo^r Ex^{cy}
Humble Servants

At a Councill (by Speciall Summons and appointm^t) met ^{Lib. H. D.}
and held at the Port of Annapolis the s^d day of July in the
Ninth Year of the Reign of our Sovereign Lord King William
the Third &^{ca} Annoq Domini 1697.

Present

His Ex^{ncy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

Sr Thomas
Laurence
Baron^t Secy^r
Coll: Henry
Jowles Coll:
Nicho Green-
berry

Thomas Tench Esq Coll: John Addison Thomas
Brooke Esq Produced and Read a Letter by his
Ex^{ncy} rēcd: from the R^t hon^{ble} W^m Stoughton Esq
Lieuten^t Govern^r & Comand^r in Chief of his Ma^{ty}
Province of the Massachusetts Bay in New England
Dated from Boston May the 29th last past; Setting forth the
great impoverishm^t of his Ma^{ty} Subjects there, through means
of the Warr and the failing of the two last years Crops, whereby
they are not in a Capacity to Comply with his Ma^{ty} Royall
Comands (by Letter to him Signified) in Assisting with men
Ships and Provisions in Ord^r to the Recovery of the Island of
Newfound land &^{ca} therefore desired Some Encouragem^t
might be given here by his Ex^{ncy} for Sending Provisions need-
full for the Supply of his Ma^{ty} Land and Sea forces sent
thither &^{ca} An Attested Copy of his Ma^{ty} s^d Letter being also
produced and Read whereupon the following Ord^r issued and
an Answer was given to the s^d Govern^r Letter as follows Viz

By his Ex^{ncy} the Govern^r & Councill.

July the 2^d 1697.

Produced and Read a Letter at the Board here this day Sent
from the R^t hon^{ble} W^m Stoughton Esq Lieuten^t Govern^r &
Comand^r in Chief of his Ma^{ty} Province of the Massachusetts
Bay in New England, Dated Boston May the 29th last past
(together with an Attested Copy of a Letter by him lately
recd: from his Sacred Ma^{ty} Dated at Kensington the 18th day
of March 1696/7. Requiring assistance of men ships and
Provisions from that Governm^t in Ord^r to the Recovery of the
Island of Newfoundland and the Reestablishm^t of his Ma^{ty}
Subjects in that Trade and ffishery in which they have been
lately disturbed by the ffrench &^{ca}) Signifying the very great
impoverishm^t of his Ma^{ty} Subjects in those parts through means
of the Warr and the ffailing of the two last years Crops; where-
by they are incapacitated to Comply with his ma^{ty} Royall Com-
ands the Expectacōns therein by which he does desire of his
Ex^{ncy} and this Governm^t some Encouragem^t may be Given for
sending such Provisions Vituals and Refreshm^t unto New-
foundland as may be Needfull for his Ma^{ty} Ships and Land

Lib. H. D. fforges sent thither under the Comānd of the R^t hon^{ble} Coll: John Gibson Comāder in Cheif of that Expedition &^{ca} the which being Maturely weighed and Consider'd by this Board, what Course might be best for his Ma^{ty} Service to be taken they have thought fit to Ord^r as it is hereby Order'd that Copys of his ma^{ty} s^d Letter and the Letter of the R^t hon^{ble} W^m Stoughton Esq read as afores^d be forthwith prepared and Sent to the Severall Counties of this Province to be made publick hereby Comāding that no Ships or other Vessells trading within this his Ma^{ty} s^d Province for any Provisions of Wheat, Corn, Beefe, Pork, or other Provisions whatsoever be Cleard to goe without giving Sufficient Security to go with the Same to Newfoundland for Supply of his Ma^{ty} land and Sea fforges there, under the Comānd of the R^t hon^{ble} Coll: John Gibson aforesam'd or to the R^t hon^{ble} W^m Stoughton Esq Lieuten^t Govern^r and Comāder in Chief of his Ma^{ty} Province of the Massachusetts Bay in New England as afores^d in Ord^r to be sent thither. And for the Encouragem^t of all masters and Own^{rs} of such Ships and Vessells belonging to this Province or any other of his Ma^{ty} Governm^{ts} as will undertake to purchase and load with Provisions here, giving Security to goe with the Same, to the End and purpose afores^d.

His Ex^{ty} does hereby Promise to pay all Duties and Impositions payable upon Exportation of Beefe and Pork and give them his own Dues & will also pay what ffes are due to the Coll^{rs} and Navall Officers for Entring and Clearing thereof, who are hereby Ordered not to take any of those Impositions or ffes but send the Acco^{ts} of the Same to his Ex^{ty}

Signed p Ord^r Hen: Denton Cl Concil.

p. 528 Maryland Port of Annapolis, July the 2nd 1697.

S^r

Yo^r Hon^{rs} Letter of the 29th of May past together with the Copy of his Ma^{ty} Royall Letter, to you inclosed, I did not Receive before the 29th of June after.

I am very sorry the Burthen of the Warr and the failing of the two last years Crops has so impoverisht and Streightn'd his Ma^{ty} Subjects in yo^r Governm^t that you cannot be able to give the Assistance Required by his Ma^{ty} s^d Letter in Ord^r to the Recovery of the Island of Newfoundland &^{ca}

The inclosed Ord^r will give yo^r Hon^r an Acco^t what Encouragem^t is (for his Ma^{ty} Service) here given for sending Provisions Victualls and Refreshm^{ts} thither, as may be Needfull for his Ma^{ty} Ships and Land fforges Employed on that Expedition, under the Comānd of the R^t hon^{ble} Coll: John Gibson Comāder in Chief, to whom I heartily wish good Success.

I am in hopes the Encouragem^t proposed may Answer I. b. II. D. Expectacōn for this Province (God be thanked) is indifferently well stored with Wheat now and there is great likelihood of a good Crop this Year, both of Wheat and Corn, as also Store of mast for Pork, and I hope this proves likewise a Seasonable year with you.

Vessells are Scarce here, therefore if any from your Governm^t (upon the Encouragem^t propos'd) will be induced to Come hither to Buye it will be of great Service to his Ma^{ty} and furtherance of the s^d Expedition by sending them a Seasonable Supply, which is all the Encouragem^t that Can be thought off to be Given in this his Ma^{ty} Governm^t by

Your Hon^r

Directed Affectionate friend & Serv^t
for his Ma^{ty} Speciall Service. ffr: Nicholson

To the R^t hon^{ble} W^m Stoughton Esq
Lieuten^t Govern^r and Comand^r in Chief of his Ma^{ty} Province of the Massachusetts Bay in New England.

Ordered that what Ships cannot get ready to goe with his ma^{ty} ffrigott the Harwick under the Comand of Cap^t Andrew Douglas now Riding in Virginia be notwithstanding clear'd (if they can get ready to goe) betwixt and the 28th of September next, but not afterwards untill further Ord^r whereof the Severall Collecto^rs and Navall Officers are to take due Notice and Conform themselv's accordingly.

His Ex^{cy} is pleas'd to Signifye that he lately recd: Advice of one of his Ma^{ty} men of Warr being Arrived in Virg^a from Leverpoole called the Dover Prize, who has Orders to Stay 90: days (but had no particular letter from the Commander thereof) in Ord^r to Convoy the Ships that shall be left behind, bound ffor those parts, whereof the Collecto^rs and Navall Officers are to give Notice to all masters of ships so left behind, that they may fit themselves to have the Benefit of such Convoy. p. 529

Came George Plater Esq Coll^r and Receiver of his Ma^{ty} Customs within the District of Petuxant and George Muschamp Esq Coll^r and Receiver of his Ma^{ty} Customs in Potomock District and made Oath to severall lists (Duplicates) of Shiping and Acco^{ts} &^{ca}

His Ex^{cy} produces to the Board a Letter by him recd. from the R^t hon^{ble} the Commⁿ of his Ma^{ty} Customs, Dated the 3^d of ffeb^{ry} 1696: intimating that pursuant to the Directions of the R^t hon^{ble} the Lords Commⁿ of his Ma^{ty} Treasury they had issued forth a Deputacōn to M^r Peter Jenings to be Coll^r of his Ma^{ty} Duties at Potuxen River in Maryland instead of George Plater &^{ca} And the s^d M^r Jenings be called in was

Lib. H. D. asked to shew his Deputacōn which he produced accordingly and was Read; who thereupon had Administred unto him in Councill, the Oaths appointed by Act of Parliam^t to be taken instead of the Oaths of Allegiance and Supremacy; as also the Oath of Trade and Navigation and afterwards Subscribed to the Test. His Ex^{cy} is pleas'd to ask him if he Can advise any thing whereby his Ma^y Service may be promoted in the way of his Office, and he would give all Necessary Orders therein; for his Assistance Asking likewise if he had Rēcd: any particular Instructions or printed Certificates &^{ca} from the Commⁿ who Says he has not.

Ordered that George Plater Esq Coll^r and Receiver of Petuxen District do (upon Sight hereof) deliver up all Instructions Copyes of Letters from the R^t hon^{ble} the Commⁿ of his Ma^y Customs about illegal Traders together with Printed Certificates Proclamations, Orders of Councill or other Matters respecting the Coll^r place of that District; unto Peter Jenings Esq the Bearer hereof this day admitted and Sworn at the Board his ma^y Coll^r of the s^d District. Produced by Peter Jenings Esq to the Board a Commission to him given by the hon^{ble} the Principall Commⁿ for Prizes, bearing date the 19th day of November A^o 1696: under their hands and Seal of Office, which was Read, thereby Constituting him with full power to be their Agent, and to do in their behalf within this his Ma^y Province of Maryland in all affairs of that Nature in one Clause thereof it is said And whereas we are Inform'd there are and hath been great Concealm^{ts} and Embezlem^{ts} made and Comitted and that also no Acc^t hath been yet Return'd unto Us, of any Prize Ships, Goods & Merchandizes, which hath been brought into any Port or place of Maryland.

p. 530 His Ex^{cy} is pleas'd to observe thereon that there Never appear'd here any Comission from them of that Nature before; but that he had sent an Acco^t to the R^t hon^{ble} the Lords of the Admiralty of what Prizes have been in his time, which were but two, and that if the s^d Commⁿ had not an Acco^t thereof, it was their own fault, for not sending in some person with a Commission before now Being further pleased to Say that as there Never did appear any Commission of that Nature (in this Province) before, and those two Prizes happening to be brought in, Tryed and Condemn'd and noe Officer here Commissionated for looking after the Same, he appointed George Plater Esq his Ma^y Receiver to take Care of his Ma^y part of the s^d prizes, which the s^d M^r Plater has now in his hands his Ex^{cy} declaring he never medled with any part thereof himself.

Ordered that George Plater Esq his Ma^y Receiver of

Petuxant District do (upon Sight hereof) deliver up unto Lib. H. D. Peter Jenings Esq the Bearer hereof his Ma^{ty} part of what prizes have been brought in and Condemned within this his Ma^{ty} province of Maryland, lodged and Remaining in his hands; the s^d M^r Jenings having this day produced a Commission from under the hands of the Principall Comm^{rs} for Prizes in England and their Seal of Office bearing date the 19th day of November 1696: whereby he is fully Constituted and appointed their Agent here, for looking after and managing those matters.

His Ex^{cy} is pleas'd to say that what part of the two foremention'd prizes, belongs to him as Vice Admirall, he bestowes the Same upon the Com^{manders} of the Ships that took them for their further Encouragem^t

Produced by the s^d M^r Jenings two Com^{missions} unto him Granted from under the Seal of the Admiralty in England, the one bearing date the 7th of Decemb^r 1696. and the other the 23^d of the s^d Instant Decemb^r with Interrogatories Annext, Empowering him to put in fforce his other Commission.

Ordered that the same be Recorded and all Obedience Given thereto accordingly His Ex^{cy} being pleased to tell the s^d M^r Jenings that if he could Inform him any thing that might be Serviceable to his Ma^{ty} about the Execution of those Com^{missions} Some Ord^r should be given therein.

At a Councill &^{ca} July the 3^d 1697.

Geo: Ashman
& Job Evans
pet abt a
Seizure &
Ord^r mde

Read a Petition of George Ashman, Job Evans & others about Some Ru^{me}, Sugar and Molasses by them lately brought from the head of the Bay which they purchased in Cæcill County from a person that brought the same from Pensilvania over Land, and had been lately seized by Ord^r of the Nav^l Officer of the port of Annapolis &^{ca} for being bought and sold contrary to his Ex^{cy}'s Proclamation and for not paying the Kings Duties &^{ca} Setting forth th^t they finding themselves in an Error did humbly pray leave to make purchase of the s^d Goods at the appraised Value or otherwise &^{ca} The s^d Peticōn was by Ord^r Referred to George Plater Esq his Ma^{ty} Receiver and Attorney Gen^l to do therein what is legall & proper.

July the 3^d 1697.

M^r Jenings his ma^{ty} Coll^r of Petuxant District and George Muschamp Esq his ma^{ty} Coll^r of Potomock District, being sent for Came His Ex^{cy} is pleas'd to acquaint them that he p. 531

Lib. H. D. understanding they have now an Annuall Sallary allowed them for keeping Boat and hands, he thinks it for his Ma^{ty} Service that they immediately fit themselves therewith and does advise that they each of them take a Survey or View of their District and mark well what Rivers, harboures and Creeks are within the Same, without which they will be much to seek and that after they have taken such view, they make return, what place they think most proper for their Residence, and withall does recommend that M^r Muschamp keep a frequent and good Correspondence with his Ma^{ty} Coll^r of Poto-mock on Virginia side which will be a good means to prevent any illegall Trade used that way.

Produced and Read at the Board John Chiles Information & Ord^r by his Ex^{ty} thereon issued, Viz^t

The Information of John Chiles of his Ma^{ty} Colony of Virg
This Informant Saith.

That being lately at New York he happen'd in Company with the Guñer belonging to his ma^{ty} frigot the Richmond, whom he heard telling to Some Gentlemen then in Company how that he was sent (by Cap^t Evans his Comander) to Pensilvania in pursuit of three Runaway Seamen; where he obtain'd a Justices Warrant; by virtue whereof two of the s^d Runaways were Seiz'd and in his Custody but afterwards Rescued from him by Severall Seamen in the Town of Philadelphia, and he himself beaten and grossly abused by them particularly at the Instigation of one M^r Andrew Morris a Magistrate and one of the Councill of that Governm^t That he heard say at Philadelphia, how that Charles Goss a Pyrate was kill'd there, by a ffrench Man about Sunday last was a Sen-night, and that at the s^d Goss's ffunerall, one Cap^t Snead a Magistrate of that place had Stab'd a Man as he was Standing upon his Guard and defending himself from ffour or ffive men that assaulted him there.

That there lyes a great Ship betwixt upland & Philadelphia said to be mounted with thirty six Gun's, which this Inform^t Say's brought in a great many Servants, but very few Goods for which he had Cocquets as this Informant was told by M^r Vanderheyden and some others who Reported likewise that they believed the s^d Ship had brought in more goods by Reason she Stay'd some time below, before she Came up into those parts, where it is imagin'd She might put the Same on Shore.

p. 532 The s^d Informant further Saith that he heard it Credibly Reported there were a great many privateers up and down the Governm^t of Pensilvania That two of them had lately

broke out of Philadelphia Goal, which are Supposed to be of Lib. H. D. Cap^t Every's Crew. That as he travell'd through Pensilvania and the Jerseys to New York, great inquiry was made of him (understanding he was sent by his Ex^{ty} S^r Edmund Andros, his Ma^y Govern^r of Virg^a upon an Express) whether or no he brought any Orders concerning the Privateers; or if the Privateers were taken up in Virginia.

Taken before his Ex^{ty} the Govern^r at the Port of Annapolis the first day of July Anno 1697.

By his Ex^{ty} the Govern^r &^{ca} July the 1st 1697.

Vpon Credible Information this day Rēcd: how that a great many Privateers and Pyrates lay shelter'd up and Down the Province of Pensylvania whereby Encouragem^t is not only given to the looser sort of Seamen and Servants of the Adjacent Governm^{ts} to Run to them, but are also protected, harbour'd, Aided and Assisted by Open fforce, and Violence among them; as well Seamen belonging to his Ma^y Men of Warr as merchant men, dayly Comitting Severall Violences and Outrages, to the very great disservice of his Ma^y and Damage of his Subjects. And fforasmuch as it is to be ffeard they may have some design on ffoot so soon as an oportunity Offers to Effect it, whereby the ffrontier parts of this his Ma^y Province lay Equally Exposed to Hazard with those of Pensilvania. Ordered therefore that publick and Speedy Notice be given to all Officers Military and Civill belonging to Cœcill County within this his Ma^y Province of Maryland and to all Masters of ships Riding in those parts, that they be upon their Guard and take particular Care (more especially the Sherriff) to prevent disturbances, mischiefs or any Attempts which possibly may be made by the s^d Privateers and Pyrates and the Inhabitants and Seamen Runing to them.

Signed p Ord^r Hen: Denton Cl Concil.

The s^d Ord^r was well approved off.

Read also Copy of a letter by Ord^r writt to the hon^{ble} James ffrisby Esq one of his Ma^y hon^{ble} Councill living in Cœcill County and another to M^r Vanderheyden, one of his Ma^y Justices of that County for them to Send word what they know of those matters with a Caution to give Notice to the Officers, Masters of Ships and Inhabitants there, to have an Eye to themselves and be upon their Guard.

Ordered that Notice be given by the Sherriffs to the Colonell Justices, Vestrys, Clerk of Indictm^{ts} County Clerk, p. 533 Surveyo^r of the high ways Constables and other Officers and

Lib. H. D. persons concern'd to make any Returns to Orders of Council or other matters Enjoyn'd them, that they without faile make due Compliance therein and Consult the Laws of England and of this Province and fformer Orders sent that they may not faile in their Duty, which s^d Severall Returns are to be Carefully transmitted unto his Ex^{cy} at the Port of Annapolis imediately after the End of the respective County Courts held in August next, under pain of prosecution His Ex^{cy} being Resolved to Excuse none for the ffuture, omitting their Duty; but that they be proceeded against according to Law.

Read the Proceedings of this Board taken the 24th of June last past which were well approved off.

Produced an Acco^t of Some ffew things casually lost from among the Arms &^{ca} at the Port of Annapolis, Viz^t

One Carbine belt, three Cartouch box belts, One Pick Axe, One Mattock, One Steele Spade, three shovells, and one Carbine.

Ordered that George Plater Esq his ma^u Receiver Send for those things a new to make up the loss, to be paid out of the Quarter part of the 1st p hhd by his Ma^{ty} Appropriated for Arms &^{ca}

An Accot of
the Quarter
part of the
Revenue now
in Mr Platers
hands Approp-
riated for
Arms &^{ca}

Vpon Inspection had into the Quarter part of the Revenue and what Remains in the hands of George Plater Esq his Ma^u Rec^r to be Appropriated for Arms, pursuant to his Ma^u Royall Instructions. The Same was found to Amount to in all the Summe of Six hundred twenty two pounds, Six shillings and one penny three ffarthings, which he is Order'd to apply accordingly for Arms &^{ca} pursuant to the directions of Severall Orders of Council already given him, if he has noe further Acco^t to bring against it.

His Ex^{cy} is pleased to Say that there Remains in his hands of the 3^d p hhd: due to the Countrey and given by a certain Ordinance of Assembly, bearing date the 30th of September 1696: for and towards building a Church at Annapolis the Summe of three hundred Seaventy Six pounds and three half pence.

His Ex^{cy} is pleas'd to Demand of the Board if they have any thing further for his Ma^u Service at p'sent to Offer who say they have not.

By his Ex^{cy} the Govern^r July the 6th 1697.

Whereas by a Certain Act of Assembly of this Province Intituled an Act for the Imposition of ffour pence p Gallon

on Lyquors imported into this Province, the Vestry of each respective Parish therein have the Benefit of one full Moiety of all florietures upon Liquors &^{ca} imported and Landed contrary to the Ten^r of the s^d Act. Ordered therefore that they Severally take Care to see the s^d Law put in due Execution by Seizing and Causing to be Seized all unaccustomed Lyquors coming within any of their p^cincts, for which (upon Suspicion they are to make diligent Search according to the Laws of England and of this Province and upon Seizure they are to make due Information to his Ma^{ty} Attorney Gen^l of the Same, in Ord^r for prosecution whereof, they are in no wise to faile at their Utmost perill and the Sherriffs are hereby Ordered to give Copy of this to the Vestry of each Parish within his Bayliwick.

Signed p Ord^r Hen: Denton Cl Concil.

At a Councill by Speciall Appointm^t met and held at the Port of Annapolis the 10th day of July Anno 1697.

Present

His Ex^{cy} ffancis Nicholson Govern^r in Chief &^{ca}

p. 534

S^r Thomas Laurence Baron^t Secry^r }
Col^t: Henry Jowles }

Notice was by Ord^r given to the Sherriff to Summons what members of his Ma^{ty} hon^{ble} Councill lived nigh to this place for to meet his Ex^{cy} in Councill here this day, who Came and sayes that pursuant thereto, he had Sumon'd his Hon^r Col^t: Greenberry as well as the Gent p^sent, but that his hon^r lay at Some Restraint so that he could not possibly attend.

Produced a Return of the Comm^{rs} of Somerset County Court in Answ^r to an Ord^r from this Board, concerning Maj^r Whittington high Sherriff of Somerset County upon a Complaint made against him by M^r George Layfield and M^r Thomas Dixon about some misfeasance in his Office &^{ca} and for presenting two persons to his Ex^{cy} for his Choice whom to make Sherriff &^{ca} which was Read as followes.

May it please your Ex^{cy}

In Obedience to an Order of yo^r Ex^{cy} and Councill bearing date the 11th day of June Anno: Domini 1697: We the Subscribers have this day to Witt the Second day of July in the year afores^d According to yo^r s^d Order have Mett and Considered the Same, and doe p^sent to yo^r Ex^{cy} Choice M^r John

Lib. H. D. Boseman and M^r John West of the County of Somerset Gent.
ffit to serve the County in the Office of high Sherriff.

ffr: Jenkins
Geo: Layfield
Tho: Newbold
Tho. Dixon
Steph: Horsey
Edm^d Howard
Arnold Elzey.

Then Read a letter by his Ex^{cy} rēcd from M^r ffrancis
Jenckins dated the s^d of this Instant July wherein is set forth
that by Virtue of his Ex^{cy} Ord^r which he Rēcd: not till the
29th of June at Evening, he immediately writt Sumon's's and
sent Messingers to give Notice to every Justice of the County
to meet at the Court House on the Second of this Instant,
pursuant to that Order, who all accordingly appear'd; only
two that were absent out of the County, to witt M^r James
P. 535 Round gone for England, and Mr. Thomas Jones, for the
Horekill and two more, Viz^t Coll: John Winder, and M^r Roger
Woolford, impeded by indisposition of Body, Setting forth
likewise, that the Representation in the Ord^r mention'd never
appear'd in Court and that one ffrancis Thoroughgood one of
the Principal men of that Grand Jury utterly denyes his having
any knowledge of the last Clause thereof touching the Con-
tinuation of the s^d Maj^r Whittington in the Sherriffs Office.

Then was by Ord^r Inspected what Justices are in the Com-
mission of Peace for that County, whereby it appears that M^r
Matthew Scarborough, and M^r Sam^l Hopkins (two of yo^r s^d
Justices) are taken no Notice off, neither in the foremention'd
Return nor M^r Jenkins Letter, and it being observed like-
wise that two of the Justices Signing that Return are parties
Complainants, and that the rest of the Subscribers are but
ffive in Number, w^{ch} is not one half of the Commission and
further that the time assigned for the Justices meeting, being
adjudged too short, so that it was scarce possible they should
be all of them got together by that time, all w^{ch} inducing this
Board to believe that the said matter might not be altogether
so fairly Carryed on and as if the party Accused had not
Equall Justice done him; Whereupon M^r Thomas Dixon one
of the Complainants and Maj^r Whittington the party Accused
(attending without) were Called for, who Came accordingly.
The s^d M^r Dixon is acquainted with the foregoing Observa-
tions made upon the s^d Return, and Letter, and is asked why
there was no motion made of M^r Scarborough nor M^r Hop-
kins, who makes answer, they were Dissent^r Maj^r Whitting-
ton being asked what he had to say p^rsents to the Board a

Certain Peticōn which was Read, and the Matter therein Lib. H. D.
Contained being fully Considered by this Board, they have
thought fit to Ord^r thereon as it is hereby Ordered that all
the Justices of the New Commission of Peace lately sent to
the s^d County be timely Summon'd to be at the Court in
August next respectively without ffaile and that a Grand Jury
of the most Substantiall ffreeholders of the County, be like-
wise Sumōned then and there to appear (but that none of the
persons Subscribing the aforementioned Representacōn be
admitted of that Jury) before whom it is to be laid as well the
s^d Representacōn and former Petition of M^r Dixon and M^r
Layfield also a Copy of the Petition of the s^d Maj^r Whittington
who is to be there likewise with his Bookes of Acco^u in Ord^r
to be likewise laid before the Justices and Grand Jury afores^d
for their Inspection, and that after a full View and hearing of
the whole matter before them they Return their Sentim^u
and Opinion thereon under their hands Respectively whether p. 536
the complaint and objections made against the s^d Maj^r Whit-
tington be with Reason and Ground Sufficient to displace
him, and whether the Allegations in their peticōn Set fforth
be truth, and lastly whether the persons now recommended
for Sherriff are by them Esteemed fit and Rightly Qualified
for Such Office. The Peticōn of Maj^r Whittington follows
in these words Viz^t

To his Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}

The humble Peticōn of W^m Whittington Sherriff of Somer-
set County.

Humbly Sheweth.

That with your Speciall Grace and Signall ffavour yo^r Ex^{cy}
hath Constituted Ordained and appointed me to be Sherriff
of the County afores^d dureing pleasure, which I the more
readily accepted in Hon^r to yo^r Ex^{cy} ffavour, as to any pri-
vate Intrest that I could discern at that Juncture, and whereas
all the Sherriffs of this Province, have made their Severall and
Respective Returns and that yo^r Peticōn^r hath Complied with
all and every the Sum^m or Sum^s of Tob^o relateing to the Pub-
lick &^{ca} or his Ma^{ty} Publick Officers ffees, which Came to his
hand to Collect altho: out of his own private Estate (Except-
ing Some Ballances w^{ch} when the Truth Comes to be dis-
closed will appear insignificant to trouble Yo^r Ex^{cy} more Im-
portant. Affaires.

Yo^r Peticōn^r therefore humbly Prays that M^r Tho: Dixon
who he is inform'd hath been the Only person to Kindle these
distructive fflames may with yo^r Ex^{cy} permission have a day
assigned to prove what he hath set fforth, in his Petition

Lib. H. D. against yo^r Peticōn^r and that yo^r Peticōn^r may be there with his Books which he hath brought to that purpose, to manifest his Innocency they being most materiall (Since all men are mortall) that his dearest Relations as wife and Children must Stand and ffall by, may stand in Vindication of his Integrity, and that since the last Assembly hath granted to yo^r Ex^{cy} the prolonging the Sherriffs Commissions for three years as a Signall mark of their ffair Just and honest dealing, That yo^r Ex^{cy} will be pleased to Assign a day in Order thereunto that he may make his Just Defence, and not being a Publick Officer be Repudiated by an Insinuateing way which without any foreknowledge or being acquainted by either the persons nominated or those in Commission to whom yo^r Ex^{cy} was pleased to Condescend to appoint, Humbly likewise Requir-
 P. 537 ing a Copy of the Peticōn and Return made, that yo^r Peticōn^r may be thereby the better Enable'd to answer the p'mises after the hearing of yo^r Peticōn^r he withall humbly prostrates himself at yo^r ffeet to deal according to his demerrits and as in Duty Bound yo^r Peticōn^r

Shall Ever Pray &^{ca}

Ordered that a Copy of the Rep^sentation sent from the Grand Jury of Somerset County which was laid before the House this last Sessions of Assembly be sent to that County Court in Aug^t next, together with a Copy of the Houses Answer to the Same, the which are to be then and there published in Open Court with this Remark thereon that if the Grievances there Represented were not Redressed, they may thank their own Burgesses for it.

P. 96

William R.

His Mats Lre
 to Gov^r
 Stoughton
 about sending
 Assistance to
 Newfoundld

Trusty and well beloved We greet you well. Whereas in Order to the Recovery of the Island of Newfoundland and the Establishm^t of our Subjects in that Trade and ffishery, in which they have been lately disturbed by the ffrench, We are sending a Squadron of Ships with Land fforces under the Comand of our Trusty and well beloved Colonell John Gibson. And it being requisite that all our Loving Subjects do Concurr in opposing the Comon Enemy, And the possessing of Newfoundland by the ffrench being of most near concern to our Colony of New England. We do therefore Expect & think fit that you give all the Assistance that lyes in yo^r Power towards the better Success of this Expedition and that such Ships and Land fforces be sent from our s^d Colony as may be Spared with respect to the Safety thereof to joyn with our

other Ships and forces between Cape Race, and Bonavista upon the Eastern Coast of Newfoundland; And particularly that you encourage the sending of such Provisions, Victualls and Refreshm^{ts} as may be usefull to our Ships and Land forces there, for w^{ch} We have taken Care that due paym^t be made. And in Generall that you do every thing that you and our Councill or Representatives of our Province of the Massachusetts Bay may think conducing to our Service; or that may be desired by our s^d Comānder in Cheif on this Occasion. And so we bid you heartily Farewell; Given at our Court at Kensington the 18th day of March 1696/7 In the Ninth year of our Reign. Lib. H. D.

To our Trusty
& Well be-
loved Wm
Stoughton Esq
our Lieuten^t
Gov^r & Comdr
in Cheif of our
Province of
the Massachu-
setts Bay in
New Engl.

By his ma^{ty} Command
Will Trumbull

Copy Examd p

Is^a Addington Secry^r

The later part of Coll: Quarry's Paper.

Latter part of
a pap^r Recd
by his Excy
from Coll
Quarry

I could give many more instances of the irregular Trade of that place but for brevity Sake do forbear however I cannot Omitt two remarkable passages about 10: or 12: months agoe, there Came to Philadelphia a Vessell directly from Denmark Loaden with Wine Copper Vessells and Severall other European Goods there she lay till all the Goods were unladen and the Vessell unrigg'd and then the Govern^r Order'd the Coll^r to Seize her which accordingly was done and the Vessell Condemned and sould again to the Merch^t for a very inconsiderable Sum^e they imediately rigg'd her again and sent her away, this business was so very ill manag'd that it opened peoples mouths & made th^m talk very hardly of the Govern^r

Another Instance is of a Briganteen Now in th^e Harbour p. 97
She Came from New York to Load Tob^o and took in almost all her lading without giving any Bond or Security this was a thing soe Notorious that it was Talked of by some who they fear'd would give yo^r Ex^{ncy} an Account of it (which is the only thing that keeps them in some awe) upon which the Govern^r Sent the Coll^r to Seize w^{ch} was accordingly done and preparation made for the Tryall but in few days the Govern^r Orders the discharge of the Brigantine without any further prosecution This business made a great Noise Especially since some of the Own^m reported th^t it Cost above a hundred pound to

Lib. H. D. Clear the Briganteen, by this your Ex^{cy} may Guess what Justice his ma^{ty} may Expect from that Govern^r or Governm^t w^{ch} is all &^{ca}

The Information of Thomas Robinson Esq.

This informant Saith

Mr Tho: Robinsons information about the Privateers at Philadelphia &c:

That upon the 16th of June (as he Remembers) he came to Philadelphia where he th^t Night waited upon Govern^r Markham & Shew'd him the Comission & patent he had from the Earl of Romney, in Relation to prizes, and told him that he heard there was one Rob^t Chinton, Edmund Lassell, and a Dutchman th^t were in Prison, w^{ch} were Suspected to be of Every's Crew, saying the Goal was insufficient to keep them, therefore desired they might be better secur'd; who said they should th^t night; The next morning M^r Cole the Landlord of the House where this informant lodged came up into his bed Chamber and told him that Rob^t Chinton & Edmund Lassell had broke Prison & were gone That ab^t Ten a Clock th^t day he waited upon the Govern^r again and told him it was a very ill managed Business to let the two principal Criminalls about Town Escape after th^t manner, who for answer said that he was neither Sheriff nor Goaler and that the County ought to be fin'd for letting the Goale be insufficient. That the same day or the next day after he went to the Prison to see the place where they were said to make their Escape and at the bottom of the Dore did see where there had been a board of about 14: inches long and 10: inches broad ript off; but could not possibly believe that men of tha^t bulk could get through at such a place, especially Chinton, who is said to be a very ffat grosse man That the s^d morning they broke prison the Gov^r issued out a hue & Cry to take them with a Promise (by the Bellman) of a Reward of ffive Pounds a peice to any one th^t should Apprehend them. That in the Afternoon one

p. 98 Hannah Witt came to this Informant & ffrancis Jones before whom she made Oath she had seen the s^d Chinton and Lassell three times th^t day among a parcell of Bushes near a place called the Centure in Philadelphia Chinton having a sword by his side, a pistell in one hand, another stuck in his girdle and a musket upon his Shoulder; one John Clapole Sheriff of Philadelphia County being then by told the Woman th^t he was sure she was mistaken for that they were not there; whereupon this informant went to the Govern^r & acquainted him with these matters and desired he might have his speciall warrant to Apprehend them seeing they were so nigh, to w^{ch} the Govern^r made Answer that he knew of noe business this

Informant had with any Warrant nor that he need trouble Lib. II. D.
himself about them however told him afterwards that if he
would write a warrant himself he would sign it, w^{ch} accord-
ingly this Informant did by direction of the s^d Govern^r Order-
ing the same to be made directable to the Sherriff with a
blanck to be left for other p^rsons names to be inserted by the
s^d Sherriff, whom he thought fit. That this Informant carryed
the s^d Warrant to the Sherriff and acquainted him with the
Govern^r Comands, relating thereto, but he utterly Refused to
fill up the Warrant and said he would not go unless this Inform-
ant went with him, by which means the Warr^t was left unexe-
cuted, neither would be Rēcd by the Sherriff, and the persons
thereby made their further Escape. That there were Warrants
out for apprehending Charles Goss, Edmond Duke Castle
George Thompson, Adam Birch and James Miller known Pri-
vateers and Pyrats, notwithstanding which they were publicly
& dayly seen up and Down the Streets of Philadelphia, without
any notice taken of them and that one Edward Shippen—a
magistrate, and one of the Councill of that Governm^t (as this
informant believes) was at the same time known to be in
Company of Adam Birch & others of the s^d Privateers; at the
s^d Adam Birch his house, w^{ch} he also confessed to this Inform-
ant being asked the question.

That about the 19th of June past, one John Mathias came
and Surrendered himself up to this Informant upon their Ex^{ecy}
the Lords Justices Proclamation as being one of Every's Crew,
whom this informant deliver'd up to the Govern^r & was by
him Comitted to prison. That upon the 21th of June After,
the s^d Mathias was brought before the Govern^r & Councill &
Examin'd (this informant being likewise there p^rsent) where
he Confessed & delar'd th' he was a Swede belonging to a
Ship that had the King of Denmarks Comission to Trade upon
the Guinia Coast a Hamburger, there being another Ship then P. 99
in Company with them that had also a like Commission both
which Ships the s^d Cap^t Every tooke Riding at an Anchor in
the Island of Prince, and plunder'd them and took to the Num-
ber of Sixteen men out of both Ships & carryed them away
with him, whereof he the s^d Mathias was one.

That from thence they went directly to the Red Sea, where
they took two large Persian Ships, richly laden as he Supposed
by the great quantity of Gold and other plunder they brought
with them after they Came from Rifling the s^d Ships. That
Chinton was Every's Chief Lieuten^t & Lassell some sort of
Officer belonging to the s^d Ship, but could not tell of any more
of them th' were in Pensilvania, Save the Dutchman that was
in Prison and belong'd to the other Hamburger Ship; but as

Lib. H. D. to himself he said, he Received no Share, but what they were pleased to give him for mending their cloaths and such like; to the quantity of ab^t 300: pieces of Gold. That after the Warrants were out for taking up the Privateers, Charles Goss (one of them) came to one Wid^w Huttons House to take his leave of her, where in a quarrell with a frenchman he was kill'd. That two days after (at the s^d Goss's funerall) there happen'd a Riott, w^{ch} one Cap^t Snead a Magistrate of that place, going to Appease & Comāded the Peace, he was violently assaulted and in defending himself from the Rabble, he casually wounded a man. That there was a Rumour of a Carolina Sloop being there, which was intended to Carry of those privateers, but Notice thereof, being given to the Gov^r he made the master Enter into 2000^{lb} Bond to the Contrary. But the s^d Master being known to be an old Privateer himself in Suspected notwithstanding to have Carryed the s^d Chinton & Lassell away with him. The s^d Masters Name is Meddlecot and is said to have been Chyrurgeons Mate to a Privateer th^t went to the Persian Sea about ffive years Agoe, whereof it is said th^t James Miller one of the Privateers aforementioned was Master.

Tho: Robinson

M^r ffrancis Jones merchant, being lately come from Philadelphia and having had the perusall of the foregoing Information does say th^t he is sensible of a great part thereof by his own knowledge, having been an Eye and Ear Witness to Severall passages therein Contain'd.

ffr: Jones

At the Port of Annapolis

July the 30th 1697.

The within Information Signed to by Thomas Robinson Esq & M^r ffr: Jones within Named was taken before his Ex^{ncy} the Gov^r and the hon^{ble} S^r Thomas Laurence Baron^t Secry^r the day & Year above written.

Hen: Denton Cl Concil.

p. 100

C: Cœcill ss

July the 15th 1697.

Mr Vander-
heydens
Letter to H.
Denton abt
Privateers &c:

M^r Henry Denton.

About 3/w agoe I happen'd to goe up to Philadelphia, and in my stay there, which was 5 days; Charles Goss, one of the Pirats was stobbed by M^r James Martin a french Merch^t the s^d Martin as it was

Related being much abused Iust before by the s^d Goss, and at the funerall of the afores^d Goss, one Cap^t Sneads one of the Justices of Philadelphia coming amongst them that were drinking tould them that they should behave themselves sivilly or else goe their ways homewards: they being in drink gave him some Oprobrious words, and fell upon him, upon which he drew his Sword and stabb'd one of them, who it was I do not know I hear he is since Recover'd. The Pyrats were much allarm'd at that time, being as I was tould Occasion'd by Cap^t Thomas Robinson his Coming up there with some Comission to call them to Acco^t I do not question but his Ex^{cy} hath had a full Acco^t of the s^d Robinson before now of what Occur'd in his Stay there, he being gone Down last week to Virg^a

While I was up at Philadelphia one Cap^t James Trent came up who had left his Ship mounted with 36: Guns below the Town of New Castle and brought in above 150 Scotts Servants but little Goods, he did search for me understanding I did live in Maryland, and asked me whether I could give him encouragem^t to Come to Maryland he wanted a Loading Tobacco to w^{ch} made Answer that none or little was to be gott before the New Crop, upon w^{ch} I do believe he doth intend to make a voyage to Barbadoes, and so in the ffall to Come there, I doe suppose he doth serve in the same imploy with M^r James Coutts: this being the Substance of what I doe know of the matter, have thought my Duty in Ord^r to his Ex^{cy}s Comānds to acquaint you with and Subscribe,

Yo^r humble Serv^t

Matt: V: Heyden

Copy of Coll
Codringtons
I re to the
Gov^r of
Bermuda abt
the English
& ffrench
West India
Squadron . . .

S^r

I have yo^r of the 13th instant by the Bearer John Jordan Master of yo^r Express Sloop who Arrived here Yesterday ab^t noone In Answer to which I shall give you the best Acco^t I can of the State of our Enemies Fleet which is as followeth.

Its now three months since an Express boat arrived at Barbadoes & from thence dispatch't, i^mmediately for Jamaica, who brought a pacquet for me (as he did for the President of that Island) from his Ma^{ty} Dated at Whitehall the 23th of Novemb^r last, Giving me Acco^t of the ffrench their making preparations of Twenty Six men of Warr Including ffire Ships and Tenders, then at Brest, with 3000: Land Souldiers, with design (as was believed) on some part of the West Indies, and w^{ch} Acco^t hath been since confirmed by severall private hands, and who further said that s^d Squadron had left ffrence in Ord^r to their intended design; and w^{ch} hath Occasioned the Islands of my Governm^t to have been on strict Guard untill

p. 101

Lib. H. D. within this month I have Received certain Acco^u from Curaco, S^t Thomas and Providence that s^d french fleet are past by us and were Safe Arriv'd at Petit Guavers on Hispaniola its said with design to attack the City of S^t Domingo on that Island by Sea and Land, and if possible to make themselves intire masters of that Island, they having in Ord^r thereto kept many hundred Negroes for severall Months past, cutting a path for their fforces to march over Land to the Spanish side of the Island; Others Say, they only design to surprize the Spanish Plate fleet designed Home from the Indies this year, Their fleet Consists of 18: men of Warr, 2 Bomb Ketches, some ffire Ships and Tenders, under the Comd of one Mons^r Pontee. However I'm well assured they have noe design against any the English Colony's they having not touched at Martinico or any of our other Neighbouring french Islands in their passage by Us, which was about two months since, For about that time a New York Brigantine bound to Nevis fell into their fleet ab^t 70 Leagues to the Eastward of this Island.

And since yo^r Sloop Arrived here Yesterday about an hour after from Barbadoes his Ma^y Ship Colchester, attending this Governm^t who gives me Acco^t That Vice Adm^l Nevill was arrived there with 14: men of Warr. 4: ffire Ships and Tenders and expected 4 great Dutch men of Warr hourly to Arrive of 60: & 70: Guns each part of his fleet and to whom the New Castle attending Barbadoes and this Colchester is to Joyn to make his Squadron up 20 Compleat Ships of Warr for the line of Battle and who I expect will be here to morrow with s^d fleet a list of whom (all but the Dutch) I inclose you, They are bound as the Adm^l writes me himself in Search of the s^d mons^r Pontee and the french fleet under his Comand wherever they be to be found in the Indies, and to prevent his Designes, and then Convoy the Spanish Plate fleet home Their stay will be very short here, knowing how long the Enemy are past by before them. But by this I presume you may depend they have no more design against you, than I am well Satisfyed they have against us. And if they had, you find our gracious master is not unmindful of not only us, but of his Allies in sending a squadron of good Ships qualified to frustrate their designs It's farther said that on the Success
p. 102 of these fleets, a Peace will ensue, for that the french King was in great hopes of taking the Spanish plate fleet this Attempt, and which would enable him to hold out the Warr for two or three years longer and of which if he be prevented (as there's not any doubt but he will) the Spaniards in these parts haying had timely notice both of his design's and of our Kings assisting him with this fleet, to prevent him, Then its

believed he will be Necessitated to Conclude a Peace (w^{ch} God Lib. H. D.
grant may be) for the honour of our King and the generall
Good of Christendome.

You may be Sure your Express should not want my Pro-
tection coming on such Emergency but her luckey Arrivall
here for the best and most satisfactory Acco^t of Affairs I
possibly could give you as I have here done causeth her dis-
patch hence this day to you, so that she could need no
friendship of mine, w^{ch} I should readily afford her or any
other Service in my Power for the Safety and preservation of
any of his Ma^{ty} Colony's being S^r

Yo^r very humble Servant

Chr: Codrington

Antigua 25th Apr^{ll} 1697.

Copy of a lett^r to the Govern^r of Bermuda.

A List of the Ships of
Warr belonging to his Ma^{ty} }
West India Squadron

List

Rates.	Ships Names.	Men.	Guns.	Comanders Names.
3	Cambridge	398	80	Vice Admiral Nevil
3	Bredah	370	70	Reere Adm ^{ll} Mees
3	Ruport	312	64	Cap ^t Dilkes
4	Pembroke	278	60	Cap ^t Hootley
4	Sunderland	278	60	Cap ^t Belwood.
4	Warwick	197	50	Cap ^t Tollett
4	Bristoll	197	50	Cap ^t Elliott
4	Blackwall	197	50	Cap ^t Lutcott
4	Rubie	197	52	Cap ^t Holmes.
4	Trydant	236	52	Cap ^t Griffith
4	Lincolns	197	50	Cap ^t Dyer.
5	Godspert	150	30	Cap ^t Greenhill
4	Colchester	197	50	Cap ^t Julias
4	New Castle	236	52	Cap ^t Reeves
5	Virgins Prize	115	32	Cap ^t Spann
5	Scarboroughh	115	32	Cap ^t Short
5	Dolphin	115	32	Cap ^t Carter.
5	Blaze	} ffireships		Cap ^t Wooden
5	Lightning			
5	Flame			Cap ^t Moore.
6	Bideford	95	24	Cap ^t Thacker
	Roe Ketch.			

Rates.	Ships Names.	Men.	Guns.	
3	Leaden	325	64	} Dutch
3	Loo	350	64	
3	Utrich	325	64	
3	Hollander	375	72	

Lib. H. D.

At the Port of Annapolis July the 23^d 1697.

Came Matthew Clemison of the Province of Pensilvania before his Ex^{cy} the Govern^r and S^r Thomas Laurence Baron^r Secry^r and preferr'd a Certain Petition wherein he sets forth that having a Sloop and Goods Seiz'd for Trading Contrary to Severall Laws and Orders of this Governm^t notwithstanding two Gen^l Permitts of Trade Granted him by Maj^r Thompson Nav^l Officer of Cœcill County under his hand and Seal, being here produced and Read, who finding that through the mistake negligence or fforgetfulness of the s^d Officer he is run into a Primunire humbly prays an Appraisment may be made of the s^d Sloop (being a hired sloop) and that upon giving Bond for the appraised Value, and to stand Tryall &^{ca} the Same may be restored to him, in Ord^r that he may deliver it up to the Own^r

Ordered thereupon that the Peticōn^r giving Bond with good Security to Answer to his Ma^{ty} &^{ca} the Appraised Vallue as well of the s^d Sloop as Goods in her Seized and if the same upon Tryall shall be legally Condemn'd that then the Same be deliver'd him accordingly, Provided he pass another Bond for answering the Penalty of the Law for his Wool and old Iron taken on Board; (if upon Tryall) Judgm^t shall be given against him thereon, hereby appointing & Empowering M^r Rich^d Beard, M^r Orlando Greenslade and Thomas ffreeborn to Appraise the same, they having ffirst taken an Oath for that purpose before Cap^t Rich^d Hill one of his Ma^{ty} Justices p. 538 for the Prov^l Court. And that they Return an Acco^t of their proceedings therein unto his Ex^{cy} the Govern^r under their hands and seals distinctly with all possible speed.

Ordered that Maj^r John Thompson Nav^l Officer of Cœcill County be (upon sight hereof) dismiss from further Acting in that Station, Complaints being made of Severall Irregularities by him committed in the way of his Office by Granting forth illegall permitts, to the great damage and Injury of Severall persons therein Concern'd; and that the hon^{ble} James ffrisby Esq recommend some other fit person to be Constituted Navall Officer of that District in his Stead.

Ordered that George Plater Esq his Ma^{ty} Attorney Gen^l of this Province issue process against the s^d Maj^r Thompson so that he may be and appear before his Ma^{ty} Justices of the next prov^l Court to Answer the Severall Irregularities by him Committed in the Execution of his Navall Officers place.

Ordered that Maj^r Thompson be not inserted in the prov^l Commission lately Order'd to be Issu'd but that a blanck be left and that the hon^{ble} James ffrisby Esq be sent to, to Rec-omend some fit and Capable person to be inserted in his Stead.

Ordered that George Plater Esq his ma^{ty} Receiver and Lib. H. D. Attorney Gen^l do (upon Sight hereof) provide Some one Sufficient person to Reside here in Town who will be answerable for the Actions and Business relating to both places (he having an Annuall Salary from his Ma^{ty} for the One and fees and perquisites for the other) or that he Come and actually Reside here in Town with his ffamily himself with out which his Ma^{ty} business will be much retarded and impeded.

Majr Whittingtons information touching severall Encroachments made by Wm Clarke president of the Horekill within the Bounds of Maryld

Vpon A question put to W^m Whittington of Somerset County in the Province of Maryland by the R^t hon^{ble} ffancis Nicholson Esq: Cap^t Gen^l &^{ca} touching some encroachments made within the Bounds of Somerset County afores^d by some p^rsons Inhabitants of the Horekill. for Answer he humbly declareth.

That being Survey^r of Somerset County about nine years since, he laid out or Surveyed Severall Tracts of Land for Sundry persons in the s^d County and during the time he was there Surveying, one W^m Clark presid^t of the horekill Court, Came where I was Executing my Office in a Neck call'd cead^r Neck on the South Side of Rehoboth Bay (the place Ordered by the L^d Baltemore and Council to be the northern Bounds of our County) about the years 1672: or 73: the s^d Clark made noe Objection against w^t I was about but after some discourse departed, But soon after, about the time of the late Revolution of Governm^t within the Province of Maryland the s^d Clark with some others made Sale of most of such lands lying within the Bounds of our County; and Surveyed & Cert. Return'd by me in Maryland Right and hath recd: (as can be Evidently made appear) a Considerable quantity of money and such Comodities as the Countrey Affords and particularly sold the s^d Ceader Neck which he once p^rtended to be a manner of W^m Penns and hath procured Pattents, in the Severall and respective p^rsons Names to p. 108 whom he has made such Sale, in Pensilvania, many whereof yet are seated in the same Right, and altho: Complaints were made to the late Govern^r Copley yet by the Short time of his Continuance in the Governm^t there was no Redress. Since his Ex^{acy}s Arrivall, We have Us'd all Modest Endeavours to Regain the Ancient Meets and Bounds of our County alltho: mett with severall Strong opposicōn most Chiefly by the Instigation of the s^d W^m Clarke and one John Hill Sherrieff, as Severall of the Inhabitants hath inform'd: and not long since my Shriualry of Somerset being Obligated to Attach the Bodyes of Some p^p Virtue of my Authority have forced to Raise the Inhabitants to take them finding Severall in Arms, who made

Lib. H. D. Violent oppositiōn and not long before I came from home I was credibly Inform'd that the s^d Hill and Clark had sent or Demanded the Rents and taxes of the Inhabitants on the South side of Rehoboth althō: the two years last past they have been listed as inhabitants within Somerset County threatning to drive away their Cattle or seizing their Goods, whereby most of the Inhabitants are put in great terro^r to the discouragem^t & deterring sev^r all others to seat there where there is large Space for many ffamilies those already there for the most part being desirous to Submit to the Governm^t here and have and doth desire protection from Us, And that some p^rson may be Qualified a Justice of Peace to Reform disorders none being nearer then M^r Round who is at p^rsent absent and his habitacōn at least 25: or 30: miles distant is what humbly Rep^rsents itself from yo^r honⁿ with all due observation

Pr^o Ju: 1697.

W^m Whittington

M^r Sam^l Watkins }
Acco^t of ffurrs Sworn }
to 2^d of June 1697 }

1696. ffurrs are D^r

	lb.	s.	d.
July 23: To the Impost of 80: Raccoon Skins. 45: Deer Skins 4 Cubs 2 Bare Skins, 13: Minks, & 1: Beav ^r Exported by Cap ^t George Keeble. }	01:	04:	04: ½
25: To the Impost of 2: beav ^r 1: Otter & 2: Cubs p Cap ^t Thomas Salmon }	00:	01:	03: 0
Aug ^t 7 th To the Impost of 14: Beav ^r 2: Baer 15: Raccoon & 2: ffox Skins p Cap ^t John Nall }	00:	07:	03: ½
8: To the impost of 1: ffox & 3: Raccoon Skins p Pet ^r Reeves. }	00:	00:	04: 0
15: To the Impost of 30: Raccoon, 3 Otter & 4: Baer Skins p Samuell Stafford. }	00:	05:	07: ½
March 26 th To the impost of 157 Raccoon 10: ffox, 3 Catts, 3 Otters & 14: Mink Skins p John Dorman }	00:	13:	11: ¼

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Ditto 28th 1697. To the impost of } Lib. H. D.
 249: ffox, Catts, minks, & ffishers 236: }
 Raccoons, 41: Otters, 4: Musk Ratts, }
 627: Raccoons, 100: ffox, Catt, & } 10: 02: 08: 0
 Mink, 4: Otters, 3: Must Rats 8: Cub, }
 & ffurrs in the Edward and Dudley p }
 Henidge Robinson. }

1697.

12: 15: 05: $\frac{1}{3}$

March 29th To the Impost of 50: } p. 109
 Raccoon; 6 ffox, 35: more Raccoon }
 2: Baer 1: Doe, 3: ffox, 3: Beav^r 2: } 00: 15: 00: $\frac{1}{2}$
 Otter & 14: Deer Skins p W^m Cann }

To the impost of 1: Wolf & 1: }
 deer Skin p Barth: Whithore } 00: 00: 05: $\frac{1}{2}$

Aprth the 1st To the impost of 162 }
 Raccoon 27: Beav^r 14: ffox 10: wild }
 catts 6: minks, 2 Baer, 88. Raccoon: } 03: 12: 01: $\frac{1}{2}$
 36: ffox 3: Otters 87 musk Ratt, 19: }
 Beav^r 8: mink 21: Baer, 13: Cubs & }
 30: deer Skins p W^m Barton }

March the 30th To the impost of }
 12: Cubs, 5: minks 6: muskratt 100 }
 Raccoon, 15: ffox, 3: beav^r & 60: deer } 02: 16: 11: 0
 skins p M^r Ralph Rymer }

Aprill 20th 1697 To the Impost of }
 184: musk Rat, 118: ffox, 23: Beaver }
 & 7: Otter, Exported p Cap^t Henry } 01: 09: 03: $\frac{1}{2}$
 Sutton }

21: 09: 03: $\frac{3}{4}$

To ffurrs of James Stoddert } 00: 16: 00: 0

To ffurrs of S^r Thomas Laurence } 01: 07: 08: $\frac{1}{4}$

23: 13: 00: 0

To ffurrs accounted for, wth M^r Mason. . 14: 01: 08: $\frac{1}{4}$

37: 14: 08: $\frac{1}{4}$

Errors Excepted p

S. Watkins Nav^l Offic^r of Petuxant District.

P^r Contra . . . C^r

By Cash in the hands of M^r Mason as p

Receipt app:

lb. s. d.
 14: 01: 08: $\frac{1}{4}$

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Lib. H. D.

At the Port of Annapolis, June the 2^d 1697.

Then Came the within Named Sam^l Watkins & made Oath before his Ex^{ty} in Councill that the within is a true Acco^t of the Duties by him Collected upon ffurrs &^{ca} arising within the District of Petuxant.

Hen: Denton Cl. Concil.

1696. An Acco^t of Dues to the ffree Schole,

Mr Robt Mas-
ons Accot of
Money lodged
in his hands
for ffurrs
sworn to 2^d
June 1697

By John Atkey bills on M ^r Groome for	10:	00:	00:	0
By M ^r Jn ^o Llewellins bills for	04:	05:	00:	0
By M ^r W ^m Montrith bills for	03:	10:	06:	0
By M ^r Thomas Jones bills for	03:	00:	00:	0
By M ^r W ^m Hollands bills	05:	18:	07:	0
	26:	14:	01:	

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1695. Is for D^r further

By M ^r Henige Robinson bills for	lb.	s.	d.	
By M ^r W ^m Bartons Bills for	02:	02:	02:	1/2
By M ^r Tho: Ennalls bills for	04:	09:	10:	1/4
By M ^o for ffurrs of Coll: Hutchins	06:	09:	01:	0
	00:	09:	04:	1/2
	13:	10:	06:	1/4
By ffurrs Collected more p M ^r Watkins	00:	11:	02:	0
	14:	01:	08:	1/4

The above Money I acknowledge to be lodged with me and am Ready to Ord^r the same when Comanded

Robt Mason

Port of Annapolis, June the 2^d 1697.

Then Came M^r Robt Mason Treasurer for the Western Shore, before his Ex^{ty} the Govern^r in Councill & made Oath upon the holy Evangelist th^t the within is a true Acco^t of the ffurrs & Skins &^{ca} by him Recd: Viz^t the Duty thereof.

Hen: Denton Cl. Concil

Henry Den-
tons Accot of
ffurrs sworn
2^d of June
to 1697.

Port of Annapolis in Maryland.

An Acco^t of the Duties arising upon Skins & ffurrs hence Exported, and Collected by me Henry Denton Nav^l Officer of the s^d Port, since my Acting in the s^d Office, Viz^t

	lb	s.	d.		Lib. H. D.
Anno 1696/7 March 10 th Thomas Sparrow of Ann Arrundell County Merch ^t to Severall ffurrs and Skins Enter'd with me amounting to the Sume of	00:	19:	10:	1/2	
March 20 th His Ex ^{cy} the Govern ^r to severall ffurrs & Skins taken Acco ^t of by me, amounting to the Sume off	00:	12:	04:	1/2	
21: M ^r Thomas Haistwell Merch to severall ffurrs & Skins Enter'd with me, amounting to the Sume off	07:	16:	06:	1/4	
Coll: Henry Ridgley, to 32: Raccoon Skins 3: ffarth: p Skin	00:	02:	00:	0	
	£	09:	10:	09:	1/4
Salary for Receiving the Same at 8 p Cent.	00:	15:	02:	1/2	
Due to the Govern ⁿ & Trustees of the ffree Scholes & ^{ca} upon this Acco ^t	08:	15:	07:	3/4	
	£	09:	10:	09:	1/4

Hen: Denton Nav^l Offic^r

June the Second 1697.

The within nam'd Henry Denton made Oath before his Ex^{cy} in Councill th^t the within is a true & Just Acco^t of all the Duties by him Collected upon ffurrs & Skins, since his Acting as Nav^l Offic^r

Hen: Denton Cl. Concil. p. 111

Mr Philip Clarkes List
of Certificates dd vp
vpon Oath 4th of June
1697. . . . }

A list of Certificates Delivered up before his
Ex^{cy} the Gov^r and Councill.

Cert. of the Ship James & Thomas Paul Bickford Master.
Ditto of the Ship Rogers John Sanders master.
Ditto of the Sloop Albemarle Rob^t Starkey Master.
Ditto of the Ship Loyalty Henry Browne Master
Ditto of the Ship Virg^a Merch^t Phineas Harwood
Ditto of the Ship Amity Lewis Jenckins Master

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Lib. H. D. Ditto of the Ship George Abraham mangles master.
Ditto of the Ship Tower James Kirke master.
Kirks Ditto from ffall
Certificate of the Ship Margaret Abraham Trickett master.
Ditto of the Ship Mercy John Luke master.
Ditto of the Sloop Albemarle Robert Starkey master.
Ditto of the Ship Loves increase John Lancaster master.
Ditto of the Ship Planter John Rymer Master.
Ditto of the Ship George Richard Dowling master.
Ditto of the Ship Virginia Merch^t Phineas Harwood
Ditto of the Ship Rogers Thomas Gosling master.
Ditto from George Plater and Lett^r for the Ship Jn^o &
Betty Joshua Whiteing Master.
Ditto of the Ship Loyalty Henry Brown Master.
Ditto of the Ship Amity Lewis Jenckins master.
Ditto of the Ship Thomas Christopher Buskill Master.
Ditto from Virg^a for the Briganteen Resolution Leanard
Howsen Master.
Cert. from the Ship Mercy John Luke master.
Ditto of the Ship Rebekah Henry Martin Master.
Ditto of the Ship Mutuall Consent In^o Garfooth Master.
Ditto of the Ship Swann Samⁿ Scury Master.
Ditto of the Ship James & Thomas W^m Broaded Master.
Ditto of the Ship America Nicholas Balling master.
Ditto of the Ship Rob^t & Samuell Dodson Master.
Ditto of the Ship Perle abra: Mangles Master.
Ditto of the Ship Catherine of Poole.
Ditto of the Ship Charitye of Leverpoole.
Ditto of the Ship Adventure of Leverpoole.
In all thirty & three Certificates deliverd the 4th day of
June 97 p me Philip Clarke

At the Port of Annapolis, June the 4th 1697.

Then Came the above nam'd Philip Clark before his Ex^{ncy}
in Councill & deliver'd up upon Oath the Severall Certificates
mention'd in this List.

Hen: Denton Cl. Concil.

Port of Annapolis, June the 22th 1697.

p. 112 Hen. Den-
ton's L^{re} to
Mr Plater
about laying
out the quarter
part of the
Revenue for
Arms &c: with
an Accot
thereof

M^r Plater. S^r

This day I recd: Orders from his Ex^{ncy} to put
you in mind of sending by the Harwich for the
Severall Arms &^{ca} you formerly had Instructions
about Copy whereof I here again inclose to you,
least the former given you may be mislaid or
otherwise; as also for the fflints, which fell Short
the Acco^t whereof you will find, underneath the other, the

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Quart^r part of the Revenue, remaining now in yo^r hands to be Lib. H. D.
laid out for the s^d Arms is as follows; Viz^t

	lb	s.	d.	far.
The Ballance of the Revenue A ^o 1695	134:	07:	09:	$\frac{3}{4}$
The Quarter part of the Revenue, Anno 1696	124:	11:	05:	$\frac{1}{2}$
The Quarter part of this Years Revenue	363:	06:	10:	$\frac{1}{2}$
in all . . .	622:	06:	01:	$\frac{3}{4}$

Which is the full & perfect Acco^t of the Revenue to be laid out as afores^d, as you will find if you do but Search among yo^r Papers; & I am apt to believe you may already have sent for Arms to the Quantity or Value of the two ffirst Articles, Viz^t 134: & 124^{ll} odd money (in pursuance of an Ord^r of the 12th of October past) by the last ffilet, before this last Revenue was made out; however you are now to Add this last 363^{ll} odd money to the other, to be laid out for such things as in the last Clause of the Acco^t for Arms, herewith sent, you will find directed, is what by Co^mmand at p^rs^ent Offers from

The fflints th^t fell Short were S^r Yo^r humble Servant
about 2000 which are to Hen: Denton
be made good.

An Accot of
things lost
with Mr
Beards Re-
turn after
search made
for the same.
Annapolis Viz^t

An Acco^t of things wanting belonging to the
County of Ann Arrundell, which M^r Rich^d Beard
the Sherriff is directed and Ordered to make
inquiry after & Search for the same in the Sev-
erall Houses of this Town in the Port of Ann-

One Carbine Belt Wanting
Three Cartouch box belts. 3.
One Pickaxe wanting
Two Mattocks . . . found 1.
ffive Spades . . . found 4.
ffour Shovells . . . found 1.
Two Carbines Said to be at the Smiths, 1: taken by
ffreeman.

June the 22th 1697. p Ord^r Hen: Denton Cl Concil

Lib. H. D.

By his Ex^{cy} the Govern^r June the 22th 1697.

p. 113

Ord^r to Esq
ffrisby to
insert in the
New Commis-
sion of the
peace for
Cæcill County
two persons in
the room of
Mr Crook &
Mr Thack-
stone

It being Represented that M^r Rob^t Crooke, one of the Justices appointed for Cæcill County, is dead and th^t M^r Thomas Thackstone another of the s^d Commissionⁿ is Removed out of that County, by which means two persons will be wanting to Supply their places. Ordered that in the New Commission to be issued for that County there be left a blanck for two persons Names to be inserted by the hon^{ble} James ffrisby Esq whom he shall think fit to Appoint and Judge capable of serving in that Station, and that the s^d Commission together with this Ord^r be sent to him, being hereby fully Empower'd to insert two names as afores^d

Signed p Ord^r Henry Denton Cl Concil

An Accot of
Locks & hinges
sent for &c:

An Accot of Locks, hinges &^{ca} (to be sent for) taken in June Anno 1697: Copy whereof deliver'd to his Ex^{cy} the Govern^r viz^t

Eight Small Locks and hinges proportionable with sixteen handles & snick bills for the Boxes to be placed in the Clerk of the Councils Office.

ffour Small Locks & hinges proportionable with Eight handles & snick bills for the boxes to be placed in the Clerks Office belonging to the House of Delegates.

ffour locks for the Drawers that are to goe under the Court House table and that they be of different Sorts.

Eight Locks for the Cupboards or Lockers with sixteen pair of Dovetail hinges.

Two Strong padlocks with pieces of Iron to Cover the holes & ffour Strong Dore hinges.

ffour locks for the Boxes in the Commissaries Office together with two pair of hinges, Eight handles & Snick bills, and one Small lock for a desk th^t is there.

Seaventeen Small locks and key's with large dove taile hinges proportionable for the Locker Dores in the State House Garrets.

p Ord^r Hen: Denton Cl Concil

Port of Annapolis, June the 23^d 1697.

His Ex^{cies}
Ord^r to Maj^r
Smithson to
pay Mr Sewell
20^{lb} sterl

S^r

You are by Virtue of an Ordinance of last Assembly directing the Paym^t of 20^{lb} Sterl a piece to the three Ministers lately Arrived and in pursuance of the R^t hon^{ble} the Lords of the Council for Trade and ffor-

reign Plantacōns, directions unto me for th^t purpose to pay Lib. H. D.
unto the Reverend M^r Rich^d Sewell Twenty Pounds being one P. 124
of the s^d Ministers whose Receipt will be yo^r discharge; accord-
ing to the s^d Ordinance: fail not in Compliance with this Ord^r
from

To Maj^r Thomas Smithson } ffr: Nicholson
Treasurer for the Eastern Shore }
These.

July the 15th 1697.

May it please yo^r Ex^{cy}

Capt Bright- The last Week there was a man Come out of
well's L^{re} to Virg^a w^{ch} told me th^t he believed there would be
his Ex^{cy} abt more Murder done this year, I told him I thought
Indians &c^a not, he said he believed there would, and I asked him his
Reason soe, he told me of a Peace, that was Concluded betwixt
our Indians and the mountain Indians by giving & Receiving
of a Pipe, he tould me that they were Resolv'd for a Warr and
the Warr Cap^t of the Senecors ask'd our Empero^r w^{ch} side he
would begin at, he reply'd and said it was all a Case to him
for one side drove him from his home and the other side has
Robed him of his Corn and goods; and since Received the
inclosed Letter from Coll: Addison no more to trouble yo^r
Ex^{cy} at this p^rsent, Yo^r most humble Serv^t
Richard Brightwell

July the 13th 1697.

Cap^t Brightwell

Coll: Addisons This Evening Came John the ffrenchman from
L^{re} to Cap. Virg^a & Saith th^t John Peeke one of Cap^t Masons
Brightwell abt Troop came up this afternoon and gives Acco^t
Indians that a Woman and three Children at the head of Acquio Creek P. 76
was on Sunday Morning last Murdered by Indians; I send you
this Notice th^t yo may keep the Stricter Eye abroad, I am
your ffriend,

Let me have yo^r Answer John Addison
what time you Receive this voll

Port of Annapolis July 16th 1697.
Betwixt 8 & 9 a Clock in the morning

Cap^t Brightwell

His Ex^{cy}s Just now I rēcd Yo^r of Yesterdays date & I
L^{res} to Cap^t am Sorry you did not secure the man (according
Brightwell to Law) th^t told you the Story about the Indians
abt the but I hope in God the Story he told you about the
Indians &c^a

Lib. H. D. Indian Warr will not prove true. I would have you take Care to observe the directions of the Law about divulging of News concerning the Indians & th' you be Sure to keep all yo' men either at the ffort or Ranging; which I would have you doe some times up the River to see if you Cant find their Canoos or any Signs of making any. If you have any certain Intelligence of Indians you are to give an Acco' thereof to the hon^{ble} Coll: John Addison (who is to send it to me, th' you may not want one of yo' Rangers) and to the inhabitants in yo' parts so th' they may be upon their Guards.

You are to Send to Cap' George Mason the Mans Name, th' told you this News about the Indians. I intend God willing to be in yo' parts very shortly & in the interim am
Yo' Loving ffriend

P. 77

Eodem die.

Coll: Addison.

His Ex^{cy}
Letter to Coll
Addison abt
Indians Just now I rēcd: a Letter from Cap' Brightwell & inclosed is a Copy of it with my Answer to him, which I would have you dispatch to him by this Ranger; but for the future if there should be any Occa- sion of sending hither, I would not have you send by any of the Rangers but by Some other Messinger; I would also have you send to Cap' Mason as from yo' Self the Acco' which Cap' Brightwell sent to me, as also th' which you sent to him, wh^{ch} I hope in God is not true; I hope in God that all will be in quiet, but if not th' yo' people will all be ready & they shall not (God willing) want Assistance from

Yo' Affectionate ffriend

The inclosed I would have you send over to Cap' Mason th' it may be dispatch to his Ex^{cy} S' Edmund Andros, to whom I send Copy of yo' Letter to Brightwell of his to me.

If you have any further Acco' concerning the Indians I would have you send the same from time to time to him as also Brightwell do it to him, & desire him to doe the like to you th' an Acco' thereof may be sent to S' Edmund Andros.

Eodem die, about 9 a Clock in the morning.

S'

His Ex^{cy}
Lre to S'
Edmd Andros
abt Indians
&c Just now I rēcd: a Letter from Cap' Richard Brightwell Comand' of his Ma^{ty} Rangers on this side of Potomock & inclosed is a Copy thereof as also of the Hon^{ble} Coll: John Addisons Letter to the s^d Brightwell who I have Order'd to give Cap' George

Mason in yo^r Ex^{ty}s Governm^t the name of the person who Lib. H. D
Gave him an Acco^t of the Indians.

The hon^{ble} Coll: John Addison & Cap^t Rich^d Brightwell are
to give Cap^t Mason an Acco^t from time to time of any thing
that please God shall happen in those parts concerning the
Indians, which they are to doe by Ord^r of

Yo^r Ex^{ty}s humble Serv^t

The Deposition of Cap^t Ebenezar Blackiston of Cæcill
County Aged forty Seaven years or thereabouts.

This Depon^t Saith

Mr Blackis-
tons Deposi-
in relacōn
to Indians.

That being at Coll: ffithughs House in Stafford
County in his Ma^{ty} Colony of Virg^a on or about
the 8th of this Instant Iuly, he heard it Reported
th^t there were about Ten Indians at Cap^t Brents House which
had got in drink & were troublesome, insomuch th^t he
Comanded their Arms to be delivered him up; ffive whereof
Surrendered to him accordingly, but 3 more th^t had also
Arms, would not part with them but made their escape; That
the Next Day the s^d Indians march^t to a House about two
miles below the s^d Cap^t Brents where they assaulted &
wounded a mans wife & ffour Small Children in dangerous
manner.

That this Depon^t went himself from Coll: ffithugh's to the
s^d House (being about Ten miles distance) for to know the
Certainty; where he see the Woman and discoursed her, who
inform'd him that as she was washing of butter at the Spring,
there Came two Indians up to her and she Striving to get
over a ffence to make her Escape, they knockt her down, but
was not sensible what they did to her afterwards. That when
she Came to her Self she felt her breast very Sore and her
Scalp all taken off except a little hair left on her forehead.
That he discoursed Doctor Tanckardson, who has her under
Care, who says th^t her right breast has been ript up by the
Indians with a knife insomuch th^t when he Came to dress it,
the wind puft out like a pair of Bellows.

That the Womans eldest daughter lyes dangerously
wounded and is thought will not live. That the Neighbours p. 78
have got three of her other Children, which they Report are
also wounded, but not mortally.

And this Depon^t further says th^t it is Reported the s^d
Indians at the Same time carryed away with them from the
House a large pewter dish and some other Small things.

That the people of Virg^a doe believe these things will be
the forerunner of a Warr; but that they begun their business
to soon. That it is cōmonly discoursed among the Virg^{as}

Lib. H. D. th' the people of Maryland need not fear the Indians doing any Mischief among them, by Reason the Govern' is so Sharp upon th^m and therefore they Come over to do Mischief in Virg^a He does say that Coll: Mason sent up an Interpreter to the Empero' and a Messing' to his Ex^{cy} S^r Edmund Andros Govern' of Virg^a to Advise him of these things but th' there was noe Return of either, when he Came away.

At the Port of Annapolis.

July the 16th 1697.

Then came the within named Ebenezar Blackiston the Depon' & made Oath before his Ex^{cy} the Gov^r th' the within & above Acco^t about the Indians is a true Relation to the best of his Remembrance.

Henry Denton Cl Concil

To all persons to whom these p^resents shall Come Wee the Subscribers being Justices of his Ma^{ty} Prov^l Court of Maryland send Greeting &^{ca}

Justices of the
Prov^l Courts
Attestacōn
upon Mr
Clarks Peticōn
to the Gov^r
of Virg^a

His Ex^{cy} Francis Nicholson Esq his ma^{ty} Cap^t Gen^l and Govern^r of this Province having been pleased to produce a Certain paper before us intituled a Peticōn of M^r Philip Clarke of St Maries County and by severall Evidences Sworne before us declared by them that it looks very like and they believe it to be the hand writing of the s^d Philip Clark which Containing in it many false Scandalous and lying Reflections as well on his Ex^{cy} the Govern^r as on the Court We hold our selves Obliged for the true Information of those whom it Concerns and for Vindication of the Govern^{mt} Hon^r and Integrity in those matters to sett forth and declare as hereby we doe Unanimously and Severally declare that the s^d Paper let who will be the Author is a false and Scandalous libel.

(1) In saying th' the Govern^{mt} Prejudice Supposed to be Conceived ag^t the s^d M^r Clark was for his Refusing as Judge of the s^d Court to grant a Judgm^t against John Cood Contrary to Law most invectively false and untrue the Said Philip Clark being not Judge of the s^d Court nor did the Govern^r Ever move the Court in the matter or press them to give any kind of Judgment nay so Carefull was the Court in that matter that when the Kings Counsell at Law moved for an Attachm^t against the s^d Cood for the penalty of an Act of Assembly being Twenty pounds Sterl. Upon two Non est Inventus Return'd and a bill found by the Grand Jury yet the

Court would not grant it because there was Criminell matter Lib. II. D.
mencon'd in the bill nor would the Court grant an Attachm't
ag't the s^d Cood for the Kings D^e sued for till a Dec. filed
Copp^y left and two Writts return'd the s^d Cood not found
and every part of the Act of Assembly Answered,

(2) In Saying that the Govern^r Came Down to the Court
four days together and did there Endeavour to prove the
Peticon^r guilty of Crimes that might deserve Imprisonm't but
that after all his threats the Evidences not Swearing what he
desir'd was disappointed of his Design Wee say its des-
perately false and Untrue for the Govern^r did not Come four
days to the Court nor more than two and the Cause of his
Coming he declar'd to bee to give the Countrey an Acco' th'
he had Rêcd: Severall advices which induced him to believe
there was some ill minded p'sons in S^t Maries County
Endeavouring to Raise disturbance and disquiet in the Gov-
ernm't and because he said there was some p'sons in Court th'
could prove severall detracting and Villifying discourses and
Expressions of the Government which is generally the fore-
runners and Instrum^t of disturbance he Caused them to be
Examined before the Court and Countrey which by their
Evidence did most Effect and therefore the Govern^r did
charge the s^d discourses upon the s^d Clark but th' the Govern^r
did Either threaten or p'swade Either the Court or Evidence is
most Impudently false and wee do verily believe th' the
Govern^r principall motive to be so Carefull in th' matter was
to prevent disturbance and to preserve Peace & quiet in the
Province for so he Declar'd.

(3) In saying th' Proclamacōn was issued out promissing
a Reward of twenty pounds to any th' would Swear the Pet^r
was Endeavouring to raise a Rebellion in S^t Maries County
We can only say th' we never heard of any such Proclamation
and p'sume if any such had been some of us should have seen
or heard of it we have all heard and seen a Proclamacōn
about that time issued declaring that in Regard there was
Suspission of some practices on foot in S^t Maries County to
Raise Rebellion That therefore if any p'son knew thereof and
would Come and discover the Same they should have twenty
pounds Sterl. Reward and if they had been Engaged therein
should have their pardon for the Same by which Proclamation
We Conceive th' the Peticon^r might reap as much benefit as
any other p'son the promise being Gen^l and the Saying th'
the Proclamacōn was or had Relation to the Pet^r particular
person is basely false and Scandalous. This we affirm for p. 80
undoubted truth of our own knowledge & which we thought
necessary to declare to the Countrey for detecting the ffalsi-

Lib. H. D. tyes in the s^d Peticōn or rather false and Scandalous libell mention'd.

Read & approved off by us of the Grand Jury.

Hen: Fernly Forem:	Rich ^d Benton	{ Jn ^o Hamon Rich ^d Hill Tho ^s Tasker W ^m Hatton Phil. Hoskins Tho ^s Steley }
John Scott	Jesep. Edlo	
Rob ^t Hobbs	Henry Eldesley	
Thomas Wells	Edw ^d Larrmore	
Tho ^s Lacur	Ralph Smith	
Jam ^s Abram	Edw ^d Philpott	
W ^m Ebden	Jn ^o Jacob	
Josep: Peake	Aron Rawling	
Jn ^o Chavers	John Pargemot	
Ben: Ricaud	John Alford	
Morg: Jones	Jn ^o M ^c Clester	

To his Ex^{ncy} Sr Edm^d Andros Knight Cap^t Generall and Govern^r in Chief of his Ma^{ty} Colony of Virginia.

The Humble Pet. of Philip Clarke of St Maries County in his ma^{ty} Province of Maryland most humbly Sheweth to yo^r Ex^{ncy}

Mr Clarks Pet.
to Sr Edmund
Andros &ca

That whereas yo^r Peticon^r in the late Revolution was admitted & Sworne an Attorney in the Prov^l Court and in Severall of the County Courts of the s^d Province and in the Same did Practice till the tenth day of August last at which time yo^r Petitioner Recieved a Sumōns to appear and serve his Ma^{ty} as a Justice of the Prov^l Court, upon w^{ch} Sumōns yo^r Petition^r did most humbly Petition his Ex^{ncy} the p^sent Govern^r that forasmuch as he had been alway's ready to Serve his most Sacred Ma^{ty} in the late revolution and since, & th^t the Practice of an Attorney was that upon w^{ch} the whole maintenance of his ffamily did depend did therefore most humbly pray that he might not be discharged from his s^d Office of an Attorney by being made one of the s^d Justices neither of w^{ch} Reasons did prevail with his Ex^{ncy} Soe th^t yo^r Petition^r in Obedience to the s^d Comīssion did accept of the same hopeing by this Submission to Continue his Practice in the Severall other Courts of the Province but his Ex^{ncy} having in December Court last Conceiv'd a prejudice ag^t yo^r Petion^r for what yo^r Petion^r knows not, Except for Refusing as Judge of the s^d Court to grant a Judgm^t ag^t Coll John Cood Contrary to Law, did for four days together Come down to the prov^l Court and Sit there in his proper p^son where he did Endeavour to prove yo^r Petion^r Guilty of Some Crime that might deserve Imprisonm^t but the

p. 81 Evidence after all his threats not Swearing as he desired was

disappointed of his design ; did afterwards upon the 14th day of December by an Ord^r of Councill dismiss your Peticon^r from being a Justice of the s^d Court as likewise from pleading in any of the Courts of the s^d Province and did issue out a Proclamacōn promissing any person a reward of twenty pounds Sterl. that would Swear yo^r Pet^r was Endeavouring to Raise a Rebellion in S^t Maries County; from w^{ch} grievous oppression and unheard of Proceedings yo^r pet^r most humbly prays yo^r Ex^{ncy} th^t he may be protected in this his ma^{ty} Colony of Virg^a under the quiet and peiceable Governm^t of yo^r Ex^{ncy} th^t so y^r Petition^r may be Enabled to make his Just Complaint to his most sacred majesty.

And as in Duty bound shall pray for yo^r Ex^{ncy} long and Happy Governm^t under his most Sacred Ma^{ty}

His Ex^{ncy}'s
Ord^r to the
Vestry's of
North & South
Sassafrax
parishes in
Cæcill Co: to
Receive Mr
Sewell for
Minister

Gentl.

The Bearer hereof is the Reverend M^r Rich^d Sewell who is sent by the R^t hon^{ble} & R^t Reverend ffather in God Henry Lord Bishop of London in Ord^r to Officiate as a Clergy man of the Church of England in this his Ma^{ty} Province of Maryland, I do therefore in his ma^{ty} name appoint the s^d M^r Rich^d Sewell to Officiate as a Clergy man of the Church of England in the two parishes of Cæcil County; called North & South Sassafrax parishes, by reason there are but few Taxables in both Parishes & not Clergy men enough to Supply each of them; Given under my hand and Seal at the Port of Annapolis the 23^d day of June in the ninth year of the Reign of our Sovereign Lord W^m the Third, by the Grace of God, of England, Scotland, ffrance, & Ireland King; Defender of the ffaith &^{ca} Anoq Domini 1697.

To the Vestry men of North & South } ffr: Nicholson.
Sassafrax Parishes in Cæcill County }
These.

Port of Annapolis, June 23^d 1697.

Hen: Dentons
Lre to Majr
Smithson sig-
nifying his
Ex^{ncys} Ord^r
to him to pay
Mr Rich:
Sewell & Mr
Bordley 20^{lb}
strl. each

Maj^r Smithson S^r

This day his Ex^{ncy} has drawn two Severall Ord^{ns} upon you; one for paym^t of 20^{lb} Sterl. to the R^d M^r R^d Sewell appointed Minister of North & South Sassafrax parishes in Cæcill County. The other for paym^t of the like sume to the R^d M^r Stephen Bordley appointed minister of S^t Pauls Parish in Kent County Copies of which Orders they

Lib. H. D. send to you by this Messing^r is what by particular Comānd is Order'd to be Signified from

Yo^r humble Serv^t
Hen: Denton

His Excy's
Ord^r to Mr
Mason to pay
Mr Cockshut
20^{lb} str being
appointed
Minstr of All
Saints parish
in Calvert
County

The like Ord^r drawn by his Ex^{ncy} on M^r Robert Mason Treas^r for the Western Shore, for paym^t of 20^{lb} Sterl. to the R^d M^r Tho^s Cockshutt appointed minister for the Parish of All Saints in Calvert County, together with a like letter &^{ca}

July the 22^d 1697.

Coll Addison's May it please yo^r Ex^{ncy}

Lre to his
Excy abt
Indians

The Belowe is Copy of Cap^t Mason To me in Answer of mine by yo^r Ex^{ncy's} Order to him; yo^r Ex^{ncy} in yo^r last p the Ranger seems to dislike Sending by the Rangers; I did not send them with that; but hearing the Men tell th^t Story; Told them I thought it the Captain's Business to acquaint you there with if he thought any thing of truth in it men here is very scarce to be had; Except on Urgent Occasions; And indeed the Rangers hath the least to doe, and may be the best spared; wishing yo^r Ex^{ncys} Health I Remain

Yo^r Ex^{ncys} most humble Servant
John Addison

Capt Geo:
Masons Lre
to Coll Addi-
son inclosed to
his Excy

Yo^r of the 18th Instant have Received, on the 8th Instant The Indians did att the House of W^m Wigentous on Ocquio in the heart of our County Kill as they thought a Woman & three Children; they did mortaly wound them, the womans head was Clean flead and Stab'd in the Side with a great Knife, but thank God, all of them are alive and like to Recover; on the 19th I did light of 8: Indians that was accused for the murther & Ordering my men to seize them all to a Popol^r Immediately to Execute them all; & telling them I knew them to be murderⁿ one Esq^r Thom: & Choptico Robin desired that they might discourse me at which I did; they told me if I would not hang them they would discover the Murderⁿ; Soe I admitted them their Pardon; so immediately they told me it was three of them; & two of them was there and the other was Gon to the New fort, soe Imediately seizes the Two and sent to Prison; & I have sent to Emper^r for the other Indian; whom I know: but these I know not but both Neighbouring Indians.

On Tuesday the 27th have Order'd all our Justices & Lib. H. D. Militia Officers to meet me at our Court House, I have sent for the Empero^r and his great men to be there.

S^r Cap^t Brightwells Information I never heard off, but our County is so Dam'd full of lyes; that I know not how allmost to Act but God direct for the Best that I may Act both for Good of King & Countrey

To Coll: John Addison

These.

S^r yo^r Servant

G: Mason

July the 27th 1697.

Stafford: ss. The Officers of this County both Civill & Military being mett and sitting to Enquire & find out the Assassimates of the Woman & Children lately Comitted and Done by Indians upon full Enquiry therein doe Say.

Civill & Military Officers of Stafford Co: Accot about the Murther there lately committed by Indians

Whereas by Virtue of a Certain Sumons under p. 116 the hand & Seal of Cap^t George Mason Comander in Chief of the Military fforces of this County bearing date the 19th day of this Instant July wee the Subscribers the Officers both Civill & Military therein are this day mett to Consult Examine & Enquire into the Assassination of the wife of W^m Wigenton & three of his child^r by Indians Comitted & done at Ocquio in this County on fryday the 9th of this Instant July which Sumons Contains in it that the s^d Cap^t George Mason had taken & Comitted to Safe Custody some of the Assassimates of the afores^d persons & now in pursuance of that intent being mett and Sitting at the Co^t House of this County and with our best skill making Examinations in w^{ch} we had the previousse Advantage of having the Emp^r of Piscattoway & Some Great men of his Counsell w^{ch} by the Care of the s^d Cap^t George Mason was brought by Reason the Accused Indians are of Pomunky in Maryland and Consequently under his Comand or Tribute and therefore in the Course of our Examinations we only spoke to the Emp^r & gave to him such questions as was Expedient to be put to the Indians und^r Examination and he to manifest his Integrity before he would proceed in the Examination did publickly Declare that if his Brother were Guilty of the murder of an English man he would be the 1st Man that should deliver him up to publick Justice and after this profession he proceeded in the Examination with great Assiduity and Never left it till he brought the Indians to Confession of the ffact in the face of Us and the whole Countrey th^t the Mischief done was by

Lib. H. D. an Indian of Pomunkey in Maryland call'd Esq Tom & his party consisting of about Eight or Ten Indians of that Nation of w^{ch} all but himself by the Care of Cap^t Mason and the freindship of the Empero^r were under our Examination and the s^d Indians were made so Conscious of their Guilt by the s^d Empero^r that they laid the ffact from One to the other of th^t partye but never used an Argument or Excuse th^t it was any other Indians but at last One of the s^d Indians did Confess to the Empero^r in our p^sence th^t this s^d Esq Tom before his Coming out of Maryland did declare to his s^d Party that he must Cause to be killd some Englishman to the End it might be laid upon the Empero^r & Consequently a Warr made him by the English and further the s^d Indian, being promised Indemnity, did Own he was one of them that did goe & was Actually there at the p^petracōn of this Villany, Whereupon both us the Subscribers the Indians Emp^r & all the English doe Conclude th^t the s^d Esq Tom and his s^d Party of Indians are the Rogues th^t Comitted the ffact and this we in all humility represent to his Ex^{cy} the Govern^r of Virginia and having in Safe Custody all the s^d Indians Esq Tom Excepted we
p. 117 most humbly propose that for the Ease of the Publick Charge nor less than the quiet and Satisfaction of the people who with noe small Difficulty have been Govern'd on this Occation that his Ex^{cy} will be graciously pleased to Grant a Commission of Oyer & Terminer directed to such persons in this County as his Ex^{cy} shall think fitt to Hon^r with such Commission and that which gives us Confidence to begg this ffavour is the Accomodation such Tryall will here Receive by reason Indian Testimony & other Circumstances may here be had which perhaps may much wanting at a greater Distance to bring the Offend^r to Condign punishm^t & lay a foundation for Peace and Tranquility and the p^servacōn of his most Sacred Ma^{ty} Leidge people w^{ch} is most heartily prayed by
Vera Copia Test Jn^o Withers Clk: Stafford 1697.

Stafford July 28th 1697.

Capt Geo:
Masons Lre
to his Ex^{cy}
abt the In-
dians

Sr

Yesterday we sat on Examination of the Indian prisonⁿ & doe now think my bounden duty in short to give yo^r Ex^{cy} an Acco^t of our proceedings therein w^{ch} will Come to yo^r Ex^{cy}'s hand by M^r Addison, being in a hurry of Business Cannot Inlarge only to acquaint yo^r Ex^{cy} that I shall at noe time hereafter be slack in giving your Ex^{cy} Acco^t as matter arises and in manifesting my Self to be

Yo^r Ex^{cy}'s most
humble Servant
G. Mason

Proceedings of the Council of Maryland, 1696/7-98. 185

Maj^r Dents, Nanjemy July the 29th 1697

Lib. H. D.

His Ex^{ties}
Answer to
Cap^t Masons
Lre

S^r

I have the ffavour of yo^{rs} of Yesterday with the inclosed Copy of the Acco^t of yo^r proceedings with the Indians Concerning the murder of the Woman & her Children, I am very Glad that you have got so many of the Indians that were Concern'd in the s^d murder & hope in God that the Rogue Call'd by the Name of Esq Tom will be got too, and May^r Dent will send you a Coppy of my Proclamation concerning him and noe doubt his Ex^{ty} yo^r Govern^r will grant yo^r so just & reasonable Petition for Trying the s^d Indian in yo^r County I have given orders to the hon^{ble} Coll: John Addison & Cap^t Richard Brightwell Comander of our Rangers to hold a frequent & good correspondence with you w^{ch} is thought to be for his ma^{ty} Service by him who is

I desire my humble Service to Mⁿ }
Mason and to all the Rest of our }
ffriends and acquaintance in yo^r }
parts . . . }

Yo^r Affectionate ffriend
ffr: Nicholson

Hen: Moors
Deposition
abt an Indian
called Esq
Tom

The Deposicōn of Henry More of Charles p. 118
County Aged 33 years or thereabouts Saith.

That having lately been in the Company of an Indian commonly call'd Esq Thom: in Severall discourses with the s^d Esq Tom he hath said to him that he the s^d Esq Tom did verily believe th^t it was the Empero^r of Piscattoway that did the Murder in Acquio on Wigentons wife & children and th^t on purpose to Cause him and the Gang with him to be Apprehended and Suspected for it & said that Severall Indians that he then Named to him would say as much or more to the same Effect.

Also he said that when the Empero^r went from Maryland to the place where he is now seated Severall Seniquor Indians living hard by that place coming to the Emper^r he proposed to them to Joyn with him and they would make a Warr on Maryland but not on Virg^a because he hoped to be Suplyed with powder &^{ca} from thence but that the Seniquors Refused it.

He said also that before he came from the Empero^r it was consulted and proposed among them that some p^rsons should be Murdered at Cap^t Masons or Cap^t Oasleys and that it should be Laid on the Mattawoman or Pomunkey Indians & by that they hoped that the English would drive them from

The Indians
names are
Nangehozi-
tan formerly
belonging to
the Emper^r
old man now
with the Mat-
tawoman.
Garrison
Tom Pomun-
key Indian
Calvert or
Montague a
choptican
Indians

Lib. H. D. among them & then that there should be Murder done about Choptico, w^{ch} should be laid on them Indians and by that means the English should drive them from among them and when that was done and those Indians from among the English and Joyn'd with the Indians then would be a fit time to make the warr or to that Effect.

These things or words to this Purpose this Depon^t did hear the s^d Indian Relate & discourse & further Saith not.

This discourse
was since the
murder done. Taken acknowledged Examin'd & Sworn to by
the s^d Henry More this 28th day of July 1697.
before me,

ffr Nicholson

By his Ex^{cy} the Cap^t Gen^l A Proclamation

Proclamaçõn
for the taking
of an Indian
called Esq
Tom &ca

Whereas it is Rep^{es}ented to me by the Copy of a Record of the Examination of certain Indians taken before his Ma^{ty} Officers both Civill & Military of Stafford County in Virginia that Certain Indians standing in Contempt and ag^t the Command of the Empero^r of Piscattoway to the Number of Eight or Ten whereof an Indian Commonly known by the name of Esq Tom was the head and leader of them are those that were the p^{er}petrat^{rs} and Actors of a late Wicked Assassination & murder on one W^m Wigentons wife & three children and that the s^d Esq Tom was a principall Actor therein & this by the Confession of the Indians themselves & many other pregnant proof thereof and that the s^d Esq Tom being Conscious thereof to himself would not Appear at the Examination where he had Engaged to bee but lurkes and hides himself in Mattawoman Chickawaxen & other places of this Province.

p. 119

I being Resolved to doe my Utmost to detect such Villanies and particularly to Seize and Secure the s^d Esq Tom in Ord^r to bring him to Condign punishm^t doe (in his Ma^{ty} Name) hereby Proclaim require and Com^{mand} all his Ma^{ty} Loving Subjects of and in this Province to make diligent search and Enquiry after the s^d Indian Esq Tom and him wheresoever found to seize apprehend & Take into Custody Either alive or Dead if any Resistance and him put under safe and secure Guard till he be Conveyed and deliver'd to Cap^t George Mason his Ma^{ty} Com^{mand}er in Cheif of Stafford County in Virginia of whom they are required to take Receipt for the same Indian of which all p^{er}sons are to take due Notice and give all dilligent assistance at their Utmost perrill and for a Reward of an Expedition herein I do assure the Party or Parties who shall seize and take the s^d Esq Tom and deliver him as afores^d

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a reward of ffive pound Sterl. given under my hand at Lib. H. D.
Nanjemy in Charles County this 28th day of July in the Ninth
year of his ma^{ty} Reign &^{ca} Annoq Domini 1697.

God Save the King. ffr: Nicholson

At Colonell Courts, July the 30th 1697.

His Ex^{cy}s
Warrt for the
taking of Esq
Tom an
Indian &^{ca}

S^r

This is by M^r Cornelius Maddox who is de-
sign'd to Endeavour to find a Pomunkey Indian
call'd Esq Tom, who is accused to be one of them
that murdered the Woman and Children in Virginia, There-
fore would have you assist him what in you lies towards the
discovery and taking of the s^d Indian and for soe doing this
shall be yo^r Warrant Given under my hand the day and year
above Written

To M^r Thomas Barbar of }
S^t Maries County }

ffr: Nicholson

June the 29th 1697.

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Capt Brents
Lre to his
Ex^{cy} abt
Indians

Most hon^{ble} S^r

I hope yo^r Ex^{cy} hath recd an Acco^t of the
Indian Examina^cōn w^{ch} was sent by M^r Addison,
th^t contains as much as could then be gotten out of them in
which one main thing was wanting (to witt) upon what
grounds these disorders have been Comitted, And since the
writing the above, Viz^t This Evening it hath been my Good
ffortune to make some discovery in that point w^{ch} I think my
self Oblidg'd to p'sent yo^r Ex^{cy} with (as in my poor sense)
being a Specim: of the Pettie mischifs of last years perpe-
trated in yo^r Governm^t w^{ch} perhaps may be streams from the
same ffountain, the narrative here followes. This Evening I
call'd at our high Sherriffs where Choptico Robin who
made the ffirst discovery at liberty he being by the s^d Officers
so Indulged and his ffears thereby Abated he told me he
would now make me fully sensible of the Cause of this
Villany and thus began; Early in the Spring to witt about 5
months last past Esq Tom was at or about the ffalls of Poto-
mock and there were some Piscattoway Indians & some of
those Seniquos that live in the mountains amongst which last
was a Susquehanah a great man whose name is monges, this
Indian had much private Communication then with Esq Tom,
w^{ch} noe other Indians knew or noted, he p'sented him with a
large belt of Peak, and told him that his Nation was Ruin'd
by the English assisted by Piscattoway's, & th^t now they were

Lib. H. D. no People, that he had still tears in his Eyes when he thought of it and not being able to doe any thing in Publique he must take his Revenge in private by his money & therefore if this Esq Tom would kill some English where he Could with greatest Safety doe it and most probable to be lay'd upon the Emperoⁿ People, he would give him great Rewards it Carry- ing with him a double Revenge for th^t the English would ffirst bleed & then Revenge it upon his Indian Enemies also this Esq Tom promiseth to do & Communicated to this Robin who as he Sayth diswaded him but promised to keep his Councill. The thing was proposed to be Comitted in Mary- land but he having Denied his Assistance Doth not know if the Negro kill'd were done by Esq Tom however th^t action Caused both the Empero^r & Pomunkey Indians to ffly to Virg^a th^t the Emper^r sate down there where now he is but the s^d Pomunkeys soon Return'd to Maryland th^t he Coming from Choptico about the time Esq Tom & his Gang Came over to hunt he was perswaded to Come with them to Virg^a that being so Come & in the Woods a little beyond my house Esq^r Tom on a Suddain told him he would kill some English and since he had known his design, If he Refused to goe with him he would kill him as believing he design'd to betray him so th^t this Robin the Relater with Esq Tom & one Indian more Rann back from their Company & Esq Tom & the other Indian did the Mischeif & this Robin kept Sentry, that all the Rest of th^t Company knew of the thing only the Deafe Indian and him they did not acquaint, S^r pardon the prolixity that Necessity Drawes Naratives under & Accept the Zeal of
Yo^r most humble and
Obedient Servant
Geo: Brent

p. 121

Gunpowder Aug^t the 19th 97.

Mr Boothbys
Lre abt In-
dians &ca

May it please yo^r Ex^{cy}
When last I had the Hon^r to Wait upon yo^r Ex^{cy} at Annapolis you were pleased to Enquire concerning the Indians & of their behaviour in our County which by reason of my Remoteness from their walks and having for some time before bin in the Province of Pensil- vania could give yo^r Ex^{cy} no acco^t of them but since my Return passing through the Body of the County have received Severall Complaints of their abuses and Insolent behaviour to the inhabitants which is now become Superlative & not toler- ably to be endured from them & the people in Gen^l under apprehensions of Some Mischeif intended by them more

Especially the ffrontier Plantations & other Small ffamilies on Lib. II. D.
whom they Comitt most of their Extravagancies.

I must acknowledge this Information Comes not soe suitable from my Pen as it would from theirs that have the military Power in Charge but understanding they had not as yet given yo^r Ex^{ty} an Acco^t of it (the Reason I p^rsume) as not thinking it worth while to trouble y^r Ex^{ty} with Complaints of so small a Magnitude esteeming nothing worthy of Information less than some Act of hostility w^{ch} not Squaring with my Opinion that an Evill prevented is at any time farr better then after an Evill Comitted to seek for Redress is the Reason I p^rsume at this time to trouble yo^r Ex^{ty} herewith and if upon p^rusall it shall appear there is nothing therein materiall or worthy yo^r Ex^{ty}s Cognizance I hope yo^r Ex^{ty} will pardon my presumption & attribute it to no other then the Effect of my Zeal for the publick peace & tranquility of the Province.

The ffirst Complaint I Rēcd: was at Patapsco how that upon their passing by the Inhabitants they had destroyed severall of the Inhabitants hoggs & though no positive prooffe can be had as Catching th^m in the ffact yet the Circumstances are pregnant to prove th^m tardy for they have been seen with ffresh Pork, & Catch^t singing seveall hogs feet at their ffiers besides it is remarkable that they never pass but the inhabitants receive some Signall dammage in their Stocks more then Vsual.

The second Complaint I rēcd: was at middle River where I was Inform'd that Some Indians passing by a poor mans p. 122
plantation one enter'd the house where he seeing none but the Woman (the man as happen'd being in an Inward Roome unknown to the Indian, the Indian Sate down & with a stern Countenance bid God dam her for a whore fetch him something to eat repeating such and the like language Severall times which the man of the House hearing thereupon p^rsently appear'd and the Indian perceiving him forthwith Started up & runaway but left them notwithstanding full of Apprehension of Some farther Intended mischief such insolencies being unusall tho: God be praised noe further Evill has hitherto happened to them and I wish it may so terminate.

The third Complaint I rēcd: was at Gunpowder from whence these Comes to yo^r Ex^{ty} how that an Indian or two coming to the House of one Robert Love who had some Venison hanging up in the House the Indians took down the meat & told him he would have it for his Dog the man endeavouring to hinder him the Indian grew more Roburst & told him he would have the meat and his Kettle to boyle it in, the man Endeavouring still to hinder him the Indian pull'd him downe by the hair & was Stooping for a Stone to

Lib. H. D. knock him on the head, anoth^r English man coming in the Intervall took him off; but the Indian & his mate carried away the meat by fforce the like Insolencies they have Comitted in Severall other places entring peoples Houses & taking their provisions by violence the reason of such their Carriage & behaviour as Can be gather'd from the most antient House keepers and those best acquainted with their disposicōns being out of noe other design then to provoke the English to doe them Some injury whereupon they might ground a Quarrell.

The last Complaint I shall trouble yo^r Ex^{ty} with is that of one Charles Hewit an Elderly man seated upon the head of Gunpowder about flour miles without any Inhabitants who being not only acquainted with the proceedings of the Indians in our parts but having liv'd in Virg^a formerly in the trouble-some times with the Indians I sent for him in & last night he Came to me whereupon I told him that I understood he had Complained of Some Injuries lately recd: from the Indians & being intended to make yo^r Ex^{ty} acquainted therewith required his Deposicōn and accordingly gave him his Oath, the forme of Deposicōns I have left out for the avoiding prolixity having already I fear been too tedious the heads are as followeth Viz^t

The Indians for these three months last past he has observed to be more Insolent then in all the ffour years time he has been Seated before; whilst he and his wife have been out at work or else where about their Occasions they have Open'd his doors Enter'd his House opened his Chest taken away powder lead Shot and other things; forceably in his
p. 123 absence before his wives face taken what ready provisions they could ffin'd; Comes on the Back of his Plantation gathers his Green Corn cutts up his Corn stalks & gathers his herbage planted for the use of his ffamily without leave; comes into his house in Companies all Arm'd & unusally painted all over taking down his Arms from the Racks where they are hung & viewing them with other Jestures & postures unac-custom'd; About a ffortnight since ten of them all Arm'd and painted past by his plantation under pretence of going to Potomock to Trade every one having a Rumlett containing about 3: or 4 Gallons Some full of Rum & others powder with some match coats

Inferences upon further Examination of the Deponent of Some Roguish design in hand.

ffirst the Depon^t Saith th^t for ffour years last past he has been Seated in their walks they usually take when they move to their hunting Quarters; the Indians usually passing that way to hunt being not above a dozen or ffourteen men besides women & Children.

2^{dly} Their Company's in moving Seldom above two or three with their families. Lib. H. D.

3^{dly} Their passing was peaceable modestly asking and paying for such Necessarys as they had Occasion of.

4^{thly} Their time of moving to their hunting Quarters was in June from whence they Return'd not till September & then in companys as they went laden with their pelt.

on the Contrary

ffirst there has past within this three months last past between ffifty & sixty men all well Arm'd noe women nor children.

2^{dly} Their Companies ten or a dozen more or less.

3^{dly} They are all Arm'd painted & by Violence take what ever they have Occasion for without making any Satisfaction.

4^{thly} They are now Continually passing by & frequently returning but seldom above one or two and they without any pelt their pretensions being that they Cannot kill any Deer.

By w^{ch} it seems all their Actions run Retrograde to their fformer accustom'd practices & though at p'sent the worst of our Evill consists in a Panick ffear it is much to be doubted the sequell will terminate in blood the Inhabitants being already so Exasperated as that sev'all of the more resolute are Resolved noe longer to Endure the Abuse but upon the ffirst Occasion given are Resolved to Revenge the Injuries sustain'd upon their p'sons the Redress of w^{ch} growing Mischiefs I shall humbly Referr to yo^r Ex^{cy} & Subscribe my self as I am and ever shall be.

Quare if not reasonable th' the Rangers on some other p'sons by Ord^r from the Military Officers should once or twice a Week vissit the ffrontier Plantations. . .

} Yo^r Ex^{cy}'s most humble most Obedient Servant Edw^d Boothby

Port of Annapolis, August the 20th 1697. p. 124

M^r Boothby

S^r

Henry Denton's L^{re} to Mr Boothby in Answer to his abt Indians

Yo^r of Yesterdays date to his Ex^{cy} (by the Express) was this day read in Councill, I being Order'd to give you the following Answer thereto, Viz' in the ffirst place, yo^r Care in this matter is well accepted & you are directed to give Notice to the parties that have made those complaints (mention'd in yo^r Letter) ag^t the Indians, as also to any other persons that have Complaints (of like Nature) to make, for to appear at the next County Court to be held for yo^r County, where his Ex^{cy} intends (God willing) to meet them; hoping no Mischief may

Lib. H. D. happen betwixt & that time; Ord^r is given to the ffield Officers to have the Severall Troops & Company's always in a Readiness (upon Occasion) & to keep persons out Scouting as farr as the ffrontier plantacōns until further Ord^r to prevent all disord^r & Mischiefs happening the Rangers also having Ord^r sent them to keep Ranging betwixt their ffort & the ffrontier Plantacōns, upon the Same Acco^t

You may please to Remember th^t about two Assemblies agoe there was a Complaint made by yo^r County Burgess ag^t the Deloware Indians, which matter being left by the House to his Ex^{cy} you Rēcd: Orders to discourse Gov^r Markham about them, they belonging to his Governm^t but you have not given any Acco^t what you have done therein; which is desired; and it is likewise Remarked th^t you mention not in yo^r Letter what Nation or nations of Indians they are that have Committed those Insolencies, which his Ex^{cy} is desirous to know; being what by Speciall Ord^r comes at p^rsent Signified from

Yo^r very humble servant
Hen: Denton

William R.

Mr Platers
Commission
for being Coll^r
& Rec^r of
Petuxon Dis-
trict,

William & Mary by the Grace of God King & Queen of England Scotland ffrance & Ireland Defende^r of the ffaith &^a To all to whom these presents shall Come Greeting, Know yee that we reposing especial Trust and Confidence in the ability Care & fidelity of our Trusty & Welbeloved George Plater Esq of our especial Grace certain knowledge & meer motion Have Ordained Constituted & appointed and by these p^rsents do Ordain Constitute & appoint him the s^d George Plater our Receiver of our Revenues raised or to be Raised for the Support of the Governm^t of our Province of Maryland within the precincts of the River of Petuxant, with full Power & Authority to Leavy Collect and Receive all & all manner of Revenues Duties imposts and proffits which shall from time to time grow due to Us for the Support of the Governm^t of our said Province within the s^d precinct, such Dutys and Revenues only Excepted as by our Ord^r in Councill bearing date the 26th day of ffeb^r in the Third Year of our Reign We have declared to belong to our R^t Trusty & Welbeloved Charles Lord Baltimore as Proprietor of our s^d Province And for the Care and paines of him the s^d George Plater in & about the Execution of the s^d Office and Employ^m We have given and Granted and by these p^rsents do give and grant unto the s^d George Plater the ffee or Salary of One hundred pounds p Annum out of our s^d

p. 125

Revenues Dutys and Imposts arising within the p^rcinets Lib. H. D.
afores^d To have hold Exercise and Enjoy the s^d Office and
Employ^mt of our Receiver of our s^d Revenues duties Imposts
and proffits within the s^d precincts together with the s^d fee
or Salary of one hundred pounds p Annum for & during our
Pleasure and lastly we doe hereby Authorize and Require our
Gov^r of our s^d Province And all other Officer & Ministers
whom it shall or may Concern to make allowance of the s^d
fee or Salary of One hundred pounds p Annum to the s^d
George Plater according to the true intent & meaning of
these p^rsents without any further Warr^t or direction in that
behalf Given our Court at Whitehall the Eighth day of Jan^r
1691: In the Third year of our Reign.

By his ma^{ty} Command
John Lowther
R: Hamsden
Ste: ffox
L. Pelham.

William R.

Instructions for our Trusty and Welbeloved George Plater
Esq Our Collect^r and Receiver of our Revenues within the
precinct of Petuxant River in our Province of Maryland.

Mr Platers
Instructions
for being Coll^r
& Rec^r of
Petuxon Dis-
trict

Whereas by our Commission bearing date this
day We have thought fit to Constitute and ap-
point you the s^d George Plater to be Collect^r and
Receiver of our Revenues within the precinct of
Petuxant River in our Province of Maryland in
America.

You are Carefully and dilligently from time to time to
gather Collect and Receive, all Revenues, dutys, Customs and
imposicōns whatsoever arising or becoming due to Us or our
Government within the s^d Precinct.

You shall not directly nor Indirectly either in your own
name or in the name or names of any other person or persons
or in Company or Partnership with any other, Trade as a
Merch^t for your Self or as a ffactor or Agent for any other in p. 126
or for any Goods Wares or Merchandizes whatsoever.

You shall constantly make and give unto our Govern^r or
Comand^r in Cheif of our s^d Province for the time being and
to W^m Blathwayt Esq Serveyo^r & Audit^r Gen^l of our Reve-
nues in America & his Deputy a true and just Acco^t of all
such Revenues Customs or Imposts so to be by you Received
or otherwise accruing unto Us & our Governm^t within the s^d
Precinct, and of yo^r issuing thereof as often as he or they shall
demand the same, and you shall duly answer and pay all such

Lib. H. D. Sums as shall at any time be remaining in yo^r hands to such p^rson or p^rsons to whom the same shall be Ordered by the Warrant in Writing or Ord^r of our Govern^r or Com^{mand}^r in Cheif with the advice and Consent of the Councill and not otherwise upon any Acco^t whatsoever.

You shall likewise carefully Transmitt unto the said W^m Blathwayt every six months or Oftner a ffair State and distinct Acco^t Examined by his Deputy, with the p^rticular vouchers of all such Revenues, duty's Customs, Imposts and Proffits whatsoever accruing to Us and our Governm^t of Maryland within the s^d Precinct and of all Money and Vallue of money received and issued by you pursuant to the Ord^r and Warrant of our s^d Govern^r or Commander in Cheif as afores^d and of all Arrears due unto Us and our Government together with the names and habitacōns of all Such persons as shall remain in Arrears of their paym^t as also Duplicates of the s^d Acco^t and papers by the succeeding Oportunity in Ord^r to be Examin'd by him & p^rsented to the Comm^{rs} of our Treasury for their approbation or disallowance of the particulars therein Contain'd, according to the Course and Practice in the like Case within our Kingdom of England, and in Ord^r to Receive their directions from time to time for the Improvem^t of our Revenue.

And to the End you may make and Retain a true and perfect Acco^t of all Receipts and Payments you are to keep distinct and perfect Entries of the particular branches of our s^d Revenues in Severall Books to be provided and kept by you for that purpose and to transmit unto the s^d W^m Blathwayt a particular Cattalogue or leager of all p^rsons answerable unto us or Our Governm^t for any Dutys or paym^t whatsoever as also the perticular Sums or vallue of money for which such persons stand Charged and shall be indebted unto us or our Governm^t of Maryland from time to time together with Copys of all Laws and publick Acts concerning our s^d Revenues, and you are likewise every six months to transmitt as afores^d a Cattalogue of Entry's of all Goods or Comodity's Imported or Exported together with the names of the Ships and an Acco^t of their Burthen Guns, and men, the Name of the Masters & whither Bound, and Generally you are to keep a Correspondence with our Survey^r and Audit^r Gen^l touching the afores^d Revenues and to send to him by all Oportunities all such Informations as shall Accrue relating thereto.

And in Reguard that it may happen that there may be Something which cannot be so well foreseen here, as observed by our Govern^r or Com^{mand}^r in Cheif, you are therefore to follow such Rules and Directions as you shall from time to time Receive from him for the manageing Collecting &

accounting of and for our s^d Revenues. Provided the same Lib. H. D.
be not contrary to the Orders and Directions given unto you
or to be given by Us or the Commⁿ of our Treasury or high
Treasurer for the time being and provided also that you do
not in any wise or any other by yo^r Ord^r intermeddle with the
Moyety of the Two shilling p^p hhd the duty of 14^d p^p Ton or
the Quitt Rents belonging to the Lord Baltimore as Propriet^r
of our s^d Province but that you leave the Same to be Collected
and Received, by the s^d Lord Baltimore or his Agents without
any let or hindrance from you or your under Officers; Given
at our Court at Whitehall the Eighth day of Jan^y 1691: in the
Third Year of our Reign.

By his Ma^{ty} Command
John Lowther
R. Hamsden
Ste. ffox
T. Pelham

Coppy Extract of a Letter from Coll Nicholson Gov^r of
Maryland to the Councill of Trade & Plantations Dated the
13th Iuly 1697.

I had from the R^t Hon^{ble} the Lords of the Admiralty a
Comission for Vice Admirall of this his Matys Province &
theire L^dshps were pleased to Impower me to apoint a Judge
Register and Marshall of the Vice Admiralty here w^{ch} bears
date the 2^d of October 1695 And which I Received by our last
Fleet from the Hon^{ble} William Bridgeman Esq^r Their Lord-
shps Secretary And with humble Submission to your Lord-
shps I do not find th^t any Ship or Vessell can be tryed by the
Court of Admiralty for breach of any of the Acts of Trade
and Navigation except a Ship or vessell that shall cary any of
the enumerated Comodityes to any place but as directed by
Acts of Parliam^t particularly by one of the 22^d & 23^d of King
Charles the Second Entituled an Act to p^rvent the planting of
Tobb: in England & for Regulateing the Plantation Trade by
Virture of w^{ch} Act the Ship or Vessell So offending is to be
Tryed for the same in any of the Plantations in the Court of
high Admirall &c. of England or any of his Vice Admiralls as
in page 237 of the Book of Rates &c. Comonly so called. p. 191
And by the late Act of the 7th & 8th of his most Sacred
Majestys Reigne for p^rventing frauds &c. I don't see th^t any
power is given to try Ships or Vessells in the Court of
Admiralty for the breach of That or other Acts of Trade &
Navigation Except they are Impowered to do by a Clause in
the s^d Act page 497 Viz^t In any of his Matys Courts of
Records at Westminister or in any Court in his Matys Planta-

Lib. H. D. tions where such offence shall be Comitted. I humbly beg that your Lordships would be pleased to send me some directions about this affair for I shall find very much difficulty in getting a Ship or Vessell Condemned for breach of Any of the Acts of Trade & Navigacōn in any of his Maties Courts here w^{ch} Consists of Severall Iudges and where they are Tryed by Iurys and where there are the least p'tences for not giveing Iudgem^t upon any of the Navigation Bonds they are sure to admitt of them

We are of Opinion that upon that Clause fol 1497 And another Clause in the Same Act fol. 502 The Severall Offences ag^t the s^d Act may be prosecuted in the Courts of Admiralty for the Plantations ;

Signed } Thomas Trevor
 } Iohn Hawles

p. 209 August the 1th 1607 The Province of Maryland Deb^t

To Sallary Allowed Maj ^r William Dent Nav ⁿ Officer Potomack District for 28 th 10 ^s 08 ^d	l.	s.	d.
as p his Acc ^t Examined at 8 p Cent is	02.	05.	09½
To Sallary allowed George Muschamp Esq ^r Dep ^t Nav ⁿ Officer Potomack district for his Acc ^{ts} Examined amounting to 01. 12. 10 att 8 p Cent	00.	12.	04
To Sallary Allowed M ^r Henry Denton Nav ⁿ Officer for Seavens District for his Acc ^{ts} Examined Amounting to 34. 05. 8 at 8 p Cent	02.	14.	04½
To Sallary Allowed M ^r Sam ⁿ Watkins Nav ⁿ Officer of Putuxent District for his Acc ^{ts} Examined Amounting to 327. 13. 05½ at 8 p Cent is	26.	04.	00
To Sallary Allowed M ^r Philip Clark late Nav ⁿ Officer for Potomock District for his Acc ^{ts} Examined Amounting to 68 ^l att 8 p Cent is	05.	09.	00
To money due to ball my former acc ^{ts} gave into the Committee as p pticulars appears & due to me	35.	16.	03
To Sallary due to me for Accounting for 466. 02. 07½ with the above Officers and att 8 p Cent is	18.	14.	00
To bills & money now ready for the Country use when the Hon ^{ble} Assembly please to Comand Amounting to.	374.	06.	10½
	466.	02.	07½

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	Is Con ^r Cred ^a		Lib. H. D.
By Maj ^r William Dents Acc ["]	28.	10.	08
By M ^r Muschamp's Acc ["]	07.	12.	10
By M ^r Hen: Denton's Acc ["]	34.	05.	08
By M ^r Sam ["] Watkins Acc ["]	327.	13.	5½
By M ^r Philip Clark's Acc ["]	68.	00.	00
	466.	02.	07½

Errors Expected p me Rob^t Mason
Treasurer for Western Shoar

At a Councill mett and held by Speciall Appointm^t
the 5th day of Aug^t 1697.

Present

His Ex^{cy} ffancis Nicholson Esq Cap^t Gen["] &^{ca}
S^r Thomas Laurence Baron^t Secry^r }
Coll: Henry Jowles.

Kenelm Cheseldyne Esq Commissary Gen["] being sent for came accordingly. His Ex^{cy} is pleased to tell him that his Office is a place that his Ma^{ty} has more immediately been pleased to intrust himself withall the which the s^d Cheseldyn has recd the benefitt off, without any Gratuity or Reward for the Same, in hopes he would have been diligent in the Execution thereof, and has had Severall warnings to do the Same and keep himself from drunkenness and the like, which his Ex^{cy} Says he has Nevertheless not minded, nor performed his Duty in keeping his Court according to the day appointed, the people being much delay'd and kept in Town at Expence and Charge for want of the Courts Sitting.

The s^d M^r Cheseldyn being asked what business there was left undone or unfinished in his Office; makes Answer that he does not know nor can possibly give Such an Acco^t

Ordered that the hon^{ble} S^r Thomas Laurence Baron^t Secry^r and Coll: Henry Jowles immediately goe to the Commissary's Office and there take an Exact list and Acc^t of all Causes and other Matters depending in the s^d Office not yet Compleated and finish'd and Examine the Records and papers by the former list thereof taken, to see if none are wanting, and Make Return thereof unto his Ex^{cy} the Govern^r with all possible Speed, And that M^r Gouldsborough be Assistant to them therein.

Ordered that Kenelm Cheseldyn p^{rsent} Commissary and M^r John Bouije his Clerk be henceforth dismiss from Execu-

Lib. H. D. ting the s^d Office and place of Commissary and Clerk, and that Rob^t Smith Esq be Constituted and Commissionated Commissary Gen^l in his Stead and provide another Clerk and that a Commission issue accordingly.

Ordered that an Express be sent for the s^d Rob^t Smith Esq to Come to the Port of Annapolis forthwith and Receive his Commission and possession of the s^d Office and he is hereby (upon sight hereof) required to Come accordingly, Severall persons having Business depending in the Commissary's Office being called in, were asked how long they have attended who Say that some have tended one day some two days.

Ordered that M^r Cheseldyn dispatch the s^d Business and Officiate his Office together with M^r Bouije till M^r Smith Comes to Town.

Upon Motion of Coll: John Hinson and Maj^r Thomas Smith of Kent County Concerning the New Commission of Peace sent to that County the s^d Maj^r Smith was Ordered to be left
p. 54^o out of the Prov^l Commission and the s^d County Commission alter'd and the following Commission Constituted Viz^t

M^r W^m ffisby Coll: John Hinson, L^t Coll: Hans Hanson, Maj^r Tho: Smith, Cap^t James Smith M^r John Whittington, M^r Charles Hinson Cap^t Thomas Ringold and M^r Philip Hopkins,

At the Port of Annapolis Aug^t the 9th 1697.

Memorandum this day his Ex^{cy} Recd: Talbot County Commission of the Peace, sent by Express from the sheriff of that County to which was by Ord^r added M^r John Needles and M^r Edward James at the Motion and Instance, of the hon^{ble} Coll: George Robotham formerly Signified by Letter from M^r Nich^o Lowe of the 14th of July last past which was afterwards returned back by the Messenger that brought it.

Hen: Denton Cl Concil.

At a Councill by Speciall Appointm^t met and held at the Port of Annapolis the 10th day of Aug^t 1697.

Present

His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Secry^r }
Coll: Henry Jowles
Coll: Nich^o Greenberry
Thomas Tench Esq }

Vpon Rep^sentacōn; Order'd that when the Sherriff of any County shall for the ffuture send any Express to the Port of

Annapolis upon business properly relating to there County, Lib. H. D.
that they Either Send a letter of Credit with Such Express or
furnish them out where withall to bear their Charges back-
wards and fforwards.

Ordered that the Kings Lawyers Issue process ag^t Kenelm
Cheseldyn Esq p^sent Commissary for Neglect of his Office,
and ag^t M^r John LLeuellin for not Compleating and finishing
the Records of that Office, during his Officiateing as Clerk
there, and that they be proceeded against according to the
Utmmost Rigour of the Law It appearing by a list of the s^d
Commissary's Records this day produced in Councill that the
s^d LLeuellin has only Recorded Seventeen Inventories, And
as to the Neglect of the p^sent Commissary, it appears by his
taking out an Action ag^t the s^d Lewellin in the Provⁿ Court of
this Province, for Causing him to Compleat his Records as
afores^d but leting the s^d Action ffall without a ffinall End
made, whereby the Records of that time are Still left Imper-
fect to the very great prejudice and Damage of all persons
Concern'd.

Ordered that the Kings Lawyers prepare Writts to Issue to P. 541
the Justices of the Respective County's to Certifye unto his
Ex^{cy} what Testamentary proceedings have been Return'd
into the Commissary's Office, Since the late happy Revolution
and what are still left behind and that a full Return of all be
made upon Oath by the Officers that have the Custody of the
Same, and Certified accordingly unto his Ex^{cy} with all
possible Speed.

M^r Attorney Genⁿ and M^r Robert Gouldsborough his Ma^y
Counsell at Law being p^sent. His Ex^{cy} is pleased to give
Charge that they take Care, to see all his Ma^y Business
depending in any of the Courts of this Province Speedily
Compleated & Ended.

Ordered that M^r Robert Mason high Sherriff of S^t Marries
County and M^r Samⁿ Watkins Navall Officer of Petuxant
District do upon Sight hereof go to M^r Cœcilus Butler and
make Demand of what Certificates, relating to discharge of
Navigacōn Bonds he has in his Custody it being Signified
that he had ffound Severall in Mattapany House, The s^d M^r
Butler being hereby Ordered to deliver the Same unto M^r
Samⁿ Wattkins afores^d who is to give Receipt for what he
Receives and make a list of the Same, and make Return
thereof, to his Ex^{cy} at the Port of Annapolis with all Con-
venient Speed, and it is hereby further Ordered that the s^d
Sherriff Sumons the s^d M^r Butler so that he be and appear
before his Ex^{cy} in Councill at the next provⁿ Court to make
Oath to the said list of Certificates &^{ca}

Lib. H. D.

By his Ex^{ty} the Govern^r &^{ca} Aug^t 11th 1697.

Whereas it is Rep^rsented unto his Ex^{ty} how that the Matt^r depending in the Commissary's Office in relation to the Estate of John Abbingdon dēcd: is not yet made an End off and being very Sensible that M^r James Cranford Attorney at Law and one of the ffirst admⁿ has dealt very disingeniously and dishonestly from ffirst to last in the Managem^t of that Concern and still persists so to doe, whereby the s^d Estate is (by his Sinister and self Ends) utterly wasted and Ruin'd; His Ex^{ty} has thereon (in his Ma^{ty} Name) thought fit to declare that he does Suspend and debarr the s^d James Cranford from practicing as an Attorney in all the Courts of this his Ma^{ty} Province, unless it be to finish and make an End of what Causes he is at present Concern'd in; and he is hereby (in his Ma^{ty} Name) debarr'd his Practice accordingly. Whereof as well the Justices of the Provⁿ as County Courts of this Province and all other persons Concern'd are to take due Notice and not Suffer him to plead or undertake any New Causes in any of the s^d Courts as they will Answer the Contrary at their

p. 54² Perrill.

By his Ex^{ty} the Govern^r Aug^t 16th 1697.

Vpon Information rēcd: that there are two outlying Negroe's a Man and a Woman that have lately been seen within ffour or ffive Miles, of the port of Annapolis, betwixt South River and Seavern in Arrundell County, who stand in Open defyance, the Man being Arm'd with a Gun and threatens the Death of any person that Offers to Come nigh him. Ordered that Cap^t Philip Howard of the s^d County do (upon Sight hereof) Raise the Neighborhood about him and goe in Search of the s^d two Negroes within the Necks of Land lying betwixt those Rivers, and (if to be found) that he Apprehend them by fforce, and Safely secure and Convey them to the Port of Annapolis aforemention'd in Ord^r to be deliver'd up into the Custody of the Sherriff there to be Close Confined till the Own^r or Ownⁿ of the Same come for them and make Satisfaction according to Law And it is hereby further Ordered that in Case of the s^d Negros further Roving and that they should not be met with in these parts the two parties of Rangers in Baltemore and Potomock take due Care and heed that they slip not by those partes which by Law and particular Instructions they are Enjoyned to Range, but that they Vse their Endeavour to ffind out, Seize and apprehend them, in Ord^r to be Safely sent down to the port of Annapolis afores^d there to be deliver'd up as afores^d.

Signed p Ord^r Hen: Denton Cl Concil.

At a Councill mett and held at the Port of Annapolis &^{ca} Lib. H. D.
the 20th day of August 1697.

Present

His Ex^{cy} ffancis Nicholson Esq Cap^t Gen^{ll} &^{ca}

S^r Thomas Laurence Baron^r Secry^r }
Coll: Henry Jowles }

Produced and Read a Letter brought by Express from M^r
Edward Boothby of Baltimore County of yesterdays date
concerning Severall Enormities and irregularities Committed
by Indians in those parts—Ordered that an Answer to the
Same be writt and to acquaint him that he give Notice to the
parties that have made those Complaints or others that have
any Complaints of that Nature to make, to be and Appear at
Baltimore County Court the ffirst Tuesday of September
next, hoping no mischief may happen betwixt and that time,
where his Ex^{cy} intends (God willing) then to meet them,
Signifying that Ord^r is gone to the Militia Officers to keep p. 543
Some persons Scouting out among the ffrontier Plantacōns;
as also to the Rangers to keep Ranging betwixt their ffort
and the s^d ffrontier plantacōns and to Call in Some times to
Inform themselves how matters are. And that he be
reminded about the Ord^r sent to him concerning discoursing
Govern^r Markham about the Delaware Indians to know what
he has done therein.

Ordered that the ffield Officers of Baltimore County do
(upon [sight] hereof) take Care to have their Severall Troops
and Company's all ways in a Readiness in Case of Insurrecion
of Indians and that they keep some of the Militia under their
Comānd constantly Scouting out as ffarr as the ffrontier
Plantacōns (until furth^r Order) to prevent any Mischief which
may happen by Indians in those parts, Advice being this day
Rēcd: of Some Insolencies by them lately Comitted to Some
of the Inhabitants thereabouts and it is hereby further
Ordered that if in Case they meet with any Indians of inso-
lent and Rude behavior or doing an unlawfull Act that they
Seize and apprehend them and und^r Safe and Secure Con-
duct Send them to his Ex^{cy} the Govern^r at the Port of
Annapolis to be dealt withall according to Law and that the
s^d ffield Officers meet his Ex^{cy} at Baltimore County Court
House; the ffirst Tuesday of September next to Consult of
Some things then and there to be done importing his Ma^{ty}
and the Countreys Service.

Vpon Representation and Advice this day Rēcd concerning
Some Insolencies lately Committed by Indians among the
ffrontier Plantations in Baltimore County; Ordered that the

Lib. H. D. Rangers (upon Sight hereof) keep Constantly Ranging betwixt their ffort and the s^d ffrontier Plantations untill further Ord^r and that they often Call in at the Said Plantacōns and Inform themselves how matters are and that if they meet any Indians comitting any insolencies Violencies or other unlawfull Act that they fforthwith Seize and Apprehend and under Safe and Secure Conduct Send them down to the Port of Annapolis unto his Ex^{ncy} the Gov^r to be dealt withall according to Law and that either Cap^t Oldton or his Lieuten^t meet his Ex^{ncy} at Baltemore County Court House the ffirst Tuesday of September next to Receive what further Order or directions may (for his Ma^{ty} and Countreys Service) be then and there given them and that if any thing should happen in the Interim that they imediately dispatch an Express down to his Ex^{ncy} to give an Acco^t thereof.

p. 544

By his Ex^{ncy} the Govern^r Aug^t 21th 1697.

Ordered that W^m Stermy of Calvert County Carpenter do (upon Sight hereof) fforecast his business to be here at the Port of Annapolis by the 28th of this Instant August in Order to view the State House Work in Company of Laurence Garey Carpenter and to give their Opinions about the Same what time it will Require to ffinish it &^{ca} whereof he is no wise to ffaile.

Signed p Ord^r Hen: Denton Cl. Concil.

At a Councill mett and held at the Port of Annapolis &^{ca} the 27th day of August 1697.

Present

His Ex^{ncy} ffrancis Nicholson Esq Cap^t Gen^l &^{ca}
 S^r Thomas Laurence Baron^t Secry^r }
 Col^l Henry Jowles }
 Col^l Nich^o Greenberry }

Produced and Read a letter by his Ex^{ncy} rēcd: from George Muschamp Esq Col^l of his Ma^{ty} Customs of Potomock District Dated the 23^d instant giving an Acco^t of the Arrivall of Admirall Nevills Squadron in Virg^a and of their Success they have had in the West Indies against the ffrench &^{ca} And it being Signified at the Board how that one Cap^t Edward Tarleton having lately brought intelligence from Choptanck how that M^r W^m Sharp of Talbot County being lately Come from Virg^a did Report the News of the s^d Admirall Nevills

arrivall likewise in Virg^a with Severall of his Ma^{ty} Men of Lib. H. D. Warr and ffour Dutch men; and of the time Since they Came and of their Success and Condition they were in, but sent no Acc^t thereof unto his Ex^{ty} either by Letter or otherwise; notwithstanding his Ma^{ty} Service depended thereon.

Ordered therefore that the Sherriff of Talbott County Summons the s^d W^m Sharp upon his Return from Virginia (notwithstanding he is gone there again) for to be and appear at the Port of Annapolis before his Ex^{ty} in Councill the second Thursday in October next to Answer the Premises.

Ordered that the Hon^{ble} Coll: John Courts and Maj^r W^m Dent be Writt to, to know why they sent not his Ex^{ty} an Acco^t of the News about the Arrivall of those Men of Warr in Virg^a hearing they had Notice of it and Reported it about. His Ex^{ty} being pleased to say that if they Could not think fit to let him know such news as well as others, his Ex^{ty} does not think fitt that they should Report such things about, not knowing what Damage and Prejudice it might be to his Ma^{ty} Intrest the Noising Such things about. p. 545

Ordered that M^r Collyer and M^r Aldern Nav^l Offic^r and Dep^{ty} Coll^r of the Port of Williamstadt be writt to, to give an Acco^t why they sent not his Ex^{ty} word, of the News William Sharpe brought from Virginia.

By his Ex^{ty} the Govern^r & Councill, Aug^t 27: 1697.

Vpon Representacōn that the Workmen at the State House do much mispend their time and neglect the public work by Drunkenness and tipling in the Ordinaries within this Town and Port of Annapolis.

Ordered therefore that a Generall Notice be Given by the Sherriff to all the Ordinary keepers therein; Strictly to florum them from Entertaining any of the s^d Workmen or Labourours in their Houses above a Quarter of an hour at a time (except M^r freemans house, where they are Accommodated) at their Perrill, and that the Sherriff Serve them Severally with a Copy of this Ord^r His Ma^{ty} Counsell at Law being hereby directed and Ordered (upon any Complaint made) to take forth an Action of 1000^{lb} Sterl. at the Kings Suit, against any Ordinary keeper that shall be found tarde therein, or Acting Contrary.

Signed p Ord^r Hen: Denton Cl. Concil.

His Ex^{ty} is pleased to Say that being at Prince Georges County Court he heard Various Reports concerning the

Lib. H. D. Piscattoway Indians therefore sent for Coll: Addison to know the Certainty, but could not have any written Satisfaction therein, whereupon he writt a Letter to Maj^r W^m Dent to Send an Express to Cap^t Mason, Coll: ffitzhugh's and others to get a certain Acco^t how Matters were Copy whereof was produced and Read; with directions for the s^d Coll: Addison or Maj^r Dents Coming hither to give a full Relation of Matters whom he expected next Week.

Produced and Read a Letter by his Ex^{ncy} rēcd: from Coll: W^m Pierce and Lieuten^t Coll: John Thompson ffield Officers of Cæcill County Dated the 16th of this instant August giving an Acco^t of their having View'd the Publiek powder, belonging to that County Viz^t two Barrells not full and a half barrell at Coll: Hermans and two Barrells at Maj^r Thompsons, but not full; all which is much decayed and of little Vallue, Signifying that they Could sell 2: Barrells thereof, and perhaps more, p. 546 but that they have no certain Acco^t what Coll: Herman had in his possession.

Ordered that a Copy of the Acco^t of what Arms & Ammunition &^{ca} were sent to that County be writ out and sent to the s^d Coll: Pierce, and Maj^r Thompson and that they dispose of the powder pursuant to the late Ordinance of Assembly but that they dont sell any thereof to the Indians.

Read a Return made by the hon^{ble} James ffrisby Esq in a Letter writ to the Clerk of this Board Dated the 12th Instant, in Relation to Nominating two persons, to Act in the Station of Nav^l Officer and a Justice of the prov^l Court of this Province in the Room and Stead of Lieuten^t Coll: John Thompson dismissed (by Ord^r of this Board) thereby Recomēding and Nominating M^r Matthias Vanderheyden for Nav^l Officer and M^r John Moll Sen^r for a Justice of the Prov^l Court; but they both being adjudged unqualified by the late Act of Parliam^t for those Stations as being Aliens. it is therefore Ordered that the s^d Esq ffrisby do Recommend and Nominate two other fit and Capable persons qualified by Law and make Return accordingly with all convenient Speed.

His Ex^{ncy} is pleased to Say that upon this News of the Arrivall of Admirall Nevills Squadron in Virg^a and of the Noise about the Indians, he intends (God willing) to go himself into Virginia to know the certainty of matters either to Morrow or on Munday therefore is pleased to direct the hon^{ble} S^r Thomas Laurence Baron^t Secry^t to goe to Baltemore County Court in Septemb^r in Order to meet the Severall persons there appointed to meet & to discourse them about the Complaints made against the Indians there and to Cause to be put in writing what they have to Say.

That if Coll: Addison or Maj^r Dent come to Town next

week they leave an Acco^t in writing what Report they have Lib. H. D.
to make concerning the Piscattoway Indians.

That if William Stermy the Carpenter comes he be shew'd
the State House work and give his Opinion thereabout, pur-
suant to the late Ord^r of Councill.

His Ex^{cy} is pleased to give Order and Strict Charge to
the hon^{ble} Coll: Henry Jowles Chancelo^r and Kenelm Cheseldyn
Esq Commissary Gen^l that they take Care not to break up
their Courts untill all business is fully finished and that they
admitt of noe Excuse of either side but such as shall Stand
with Equity and good Conscience and that where the Attor-
neys are in the fault So that the Cause Cannot Come to
Tryall such Cause be struck off, and that no future delays be
Suffered.

Ordered that the Commissary forbear Recelving any pub- p. 547
lick Papers from M^r LLeuellin relating to the Commissary's
Office untill the s^d LLeuellin shall Come and deliver the same
up before the Justices of the Prov^l Court upon Oath.

Ordered that the Gentlemen of his Ma^{ty} hon^{ble} Councill
have Notice to meet his Ex^{cy} at the Port of Annapolis in
Councill the next Thursday after the Begining of the Prov^l
Court in October the Indians at the head of the Bay being
then appointed to be there. And it being thought most for
his Ma^{ty} Service that what Appeals and Writts of Error lye
before this Board to be tryed be then also made an End off;
Ordered therefore that the Lawyers prepare themselves against
that time and that the Sheriffs Serve this Ord^r upon Such of
his Ma^{ty} hon^{ble} Councill and Prov^l Attorneys as inhabite in
their respective Counties, without faile, who are hereby
required to Conform themselves accordingly.

Ordered that the Justices of the Severall Counties of this
Province Return a list of the Constables Names and of the
Overseers of the high ways in each County appointed by the
ffirst day of the next prov^l Court and so for the future Annu-
ally and that the Vestrys in like manner Return lists of what
Church wardens are appointed in Each parish, and that the
County and Vestry Clerks Return Copy's of the Oaths the
Severall Officers take and of all Bonds Given by the Sheriffs
or others That the Justices Cause their Clerk to Return an
abstract of the Record Books and Law Books belonging to
each County as also an Acco^t what places they are kept in,
and in what Ord^r together with an Acco^t of the Court Houses,
whether they be New or old, if New, whether the Same be all
paid for. if old and want Repairing what it will Cost. And
what part of the County the Same Stand in and if they have
any land belonging to them; and that a like inquiry and
Return be made about the County Prisons and that the
Sheriffs Serve them Severally with this Ord^r

Lib. H. D. Ordered that the Sherriffs of the Province take Care to Collect what Tob^o is due by Act of Assembly from publick Officers, both as to the Arrears last year, and what is due from them this year, wherein they are in no wise to ffaile at their perrill; and further that they Return an Acco^t or list of what Romish Priests and Lay Brothers are Resident within
p. 548 their respective Counties and what Churches Chappells or other places of worship they have what manner of buildings they are: and in what places Scituated and that they Return also a like Acco^t about the Quakers or other Dissenters from the Church of England and of their places of worship &^{ca} by the first day of the next Prov^l Court.

His Ex^{cy} is pleas'd to Represent that Peter Jenings Esq Coll^r of Petuxon District lately Mett him upon the Road going to Charles County who asked him leave to go to Pensilvania and see that place, to which his Ex^{cy} is pleased to Say, that he neither gave him leave nor Ordered him to Stay, but left him to his own discretion.

[Pennsylvania Boundary.]

Att the Courtt att Whitehall 13th November 1685

p^rsent

The Kings most Excellent Maty in Councill

The following Reporte from the Right Hon^{ble} the Lords of the Committee for Trade and forreigne Plantations being this day read att the Board

Memorandum

The Lords of the Comittee for Trade and plantations having pursuant to his late Matys order in Councill of the 31st of May 1683. Examined the Matters in differences between the Lord Baltemore & William Penn Esq^r in behalfe of this p^rsent Maty Concerning a Tract of Land in America Comonly Called Dellaware their L^ds find that the Land Intended to be granted by the L^d Baltemores Pattent was only Land and Inhabited with Savages And that this Tract of Land now in dispute was Inhabited and planted by Christians att and before the date of the Lord Baltemors Pattent as it hath been ever Since to this time and Continued as a distinct Colony
p. 237 from that of Maryland so that their L^dships humbly offer their Opinion that for avoyding further differences the Tract of Land lying between the River and Bay of Delleware and the Eastern Sea on the One side and Chesapeak Bay on the other be divided into two Equall parts by a Line from the Latitude of Cape Hinlopen to the 40th Degree of Northerne

Latitude And that one halfe thereof lying towards the Bay of Delaware and the Easterne Sea be adjudged to belong to his Maty and that the other halfe remaine to the Lord Baltemore as Comprized within his Charter. Lib. H. D.

Councill Chamber

7th November 1685

His Maty well Approveing of the s^d Reporte It was there-upon Ordered by his Maty in Councill That the said Land be forthwith Divided Accordingly whereof the s^d L^d Baltemore and William Penn together with their respective Officers and all others whom it may Concerne are to take Notice and give due and ready Obedience thereunto.

[Penn to Markham.]

p. 239

Coll Markham

The Lords Commissioners of Trade and Plantations having Intimated to me their Directions to Coll: Nicholson to run the Line between the Province under his Governm^t and ours and their desire that I would write to thee to Comply therewith. This is to lett thee know That I would have thee be ready the first Convenient Season to pursue the Lords Commissioners directions therein for p^rventing of Misunderstandings which I p^rsume is their end in giving them and Will be their Endeavours in all other matters The Lords have grounded their Comands to Gov^r Nicholson upon the Order of the King in Councill past in 1685 The Originall I believe is with thee or an Exemplification of it. I am

Whitehall

Sep^r the 1st 1697

Thy Assured friend

William Penn

[Board of Trade to Nicholson.]

S^r

We have late received the Duplicate of a Lre from the Councill and Assembly of Maryland to the Lords of the late Committee for Trade and Plantations Dated the 6th of July 1696 as also the Duplicate of your own Lre of the 14th of the Same month to their Lordships And further Your Lres of the 13th and 27th March Last to our Selves together with all the papers therein mentioned to be Sent.

By the Last of your Said Lres Acknowledgeing the receipt onely of ours of the 25th Sep^r 1696 we observe that our Lre of the 1st Feb^r Last was not then Come to your hands, But however it haveing been sent (originall and Duplicate) by p. 228

Lib. H. D. two of his Matys Ships the Harwich and the South Sea Castle we make no doubt of its haveing been Safely delivered to you Since that time. And therefore we shall not repeat any thing of the Contents thereof further then we have now New Occasion.

It has not yett been possible for us to go through all the particular Matters that lye before us relating to that Province but nevertheless being willing to write what we Can by this first Opportunity we shall not forgett but onely Deferr the rest till we have provided further

This Lre we Intend by his Matys Advice Boat the Swift Captaine Bostock Commander who being directed to Attend att Maryland we Suppose will Answer Your End in what you desire about a Vessell to Cruize upon th^t Coast, and together herewithall we now send you a Lre from his Maty Dated the 22th of Aprill Last requireing your punctuall Care in all things relating to the Execution of the Act for the Plantation Trade Unto which we therefore referr you as being of greater weight then anything we are able to Say upon the Subject.

Upon Consideration of the Assemblies Address mentioned in the Close of your Last Letter Desireing that Coll Copleys Estate in Maryland may Answer to his Maty the fourth part of the Twelve pence p hogshead on Tobb: which ought to have been imployed in Stores of Warr but was by him Converted to his private use. We Cannot Conceive why prosecution has not allready been made thereupon in the Country that whatsoever was found due to the King might have been recovered by ordinary Course of Law.

Upon the head of Stores we must also add that we find not amongst the papers now received any Acc^t or Inventory of the Arms Amunition and Stores remaining in any of his Matys Magazeens in that Province w^{ch} being a thing that his Maty has required you Annually to Observe, we Expect that it be Accordingly performed. There is another thing also that we find omitted by you, tho we Acquainted you particularly that it was his Matys Express Command, and Accordingly required you to Observe it, We mean An Exact Acc^t of all money Given for publicque uses And how the same is and has been from time to time Expended or layd out. This therefore (to Explaine our Selves more particularly) we Expect to be punctually observed at least from the beginning of the year 1696.

Upon persuall of the Assemblies Address relating to the Quota of Men or money to be furnished by Maryland for the defence of New York we should not have been able to have understood there meaning therein if we had not found it more
p. 229 plainly Expressed in Some other of your publicque papers But

finding by their Answer to your proposall Dated the 8th of July 1696 that they did not think themselves obliged to Lib. H. D.
Contribute any More thereunto till his Matys pleasure therein should be further declared We have onely thereupon to repeat and more fully Explaine what we writt you in our last Letter upon that Subject Viz^t That his Maty by his Order in Councill Dated the 19th of November last did require us to Signify his pleasure to the Gov^r of all his Collonyes Concerned in that regulation that they should each of them make good their respective proportions which Order You are Therefore Accordingly to Observe.

We observe That you write about Settleing the Boundaries between Maryland aud Pensilvania and haveing thereupon looked out the Order of Councill which you mention to have been made in the time of the late King James upon that Subject Dated the 13th of Nov^{ber} 1685 and Esteeming the Execution thereof Very Necessary for the prevention of Disputes between those two Provinces. We have required M^r Pen to give directions on his part for a Concurrence in the Governm^t of Pensilvania. And he has to that purpose delivered to us the inclosed Lre to Col^l Markham which we doubt not but will Accordingly be Observed; wherefore we also send you hereinclosed a Copy of the said Order that you may accordingly take Care it be observed with respect to his Matys Interest in Maryland.

The Laws of the Province of Maryland we find to be in great disorder. Before the receipt of the last we had already sent the former (which we found amongst the papers belonging to this Office) to M^r Attorney and M^r Sollicitor gen^l for their opinion upon the Legall part thereof And have but very lately received them back. The last are yet in their hands; And till we have rec^d the whole we do not think fitt to make any of them particularly the Subject of our Consideration For we are Sencible that they need a thorow Revisal, and are Doubtfull least a Determination upon any part of them without a View of the whole, will but breed yet greater Confusion, And by reason of such Confusion we pceive it was, that in order to the better understanding which of the Laws are in force in the Province of Maryland you were required by your Instructions with the Assistance of the Councill there to send over a Compleat body of the Laws that are now in force there together with your Opinion there upon And what alteracōns you Judge requisite to be made therein, for by what we have observed in looking (tho but Slightly) upon some of them, and by the list it Self of their Titles Containing so many Revivals of Temporary Laws we are Assured that the Obscurity whensoever we shall Come to

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Lib. H. D. examine them will be very great. This makes it highly necessary for us to mind you of that Instruction which imposes on you no impossible nor very difficult work & ought to have been already more punctually observed And besides this also we Cannot but take notice of another of your Instructions relating to Laws, which is that they be all made indefinite and without Limitation of time unless they be onely for a Temporary end Whereupon you are required not onely [not] to reenact any Law which shall have been once enacted before except upon very urgent occasions but in no Case more then once without his Matys Express Consent, the neglect of this rule has been evidently a fault in the whole Course of Enacting Laws in Maryland: and the very list of those past in your time shewes that you your Selfe have not much better Observed it.

We Commend your Care and diligence in the Severall papers that you mentioned in your Lre to have sent us, But Some of them (of which Sorte are the Acc^t of parishes &c. The list of the names of the Councill &c. The proceedings relateing to the Privateer Day &c. The Severall lists of Navigation Bonds &c. The Coll^m and Navall Officers list &c.) need not att present any particular Answer from us more then to desire you to Continue the like upon all Occasions, and to tell you (amongst the rest) That in the Act^t of Taxables the Distinction of Freemen, Servants and Negros which you Say you Intend hereafter to Observe will be very Acceptable.

Upon Occasion of what you write ab^t the Privateer Day we wish you had told us what Laws you have in force in Maryland for the punishm^t of Pyrates for thō perhaps we may find Something on th^t Subject when we Come to Examine all those Laws Yet your information would have made it more ready and easy to us, However now we desire you to write us what ever further expedient your observation Suggests to you not onely for the Seizing of any such persons but also ab^t the means of bringing them to Condigne punishm^t when taken.

In the end of those papers that you have fastened together and Marked N^o 4 are the returns of Severall Sheriffs to the Order that been sent to them relating to persons imployed in places of Trust Contrary to the Intent of the Act for p^rventing frauds and regulating abuses &c in which we Observe that Severall of those returns are very Imperfect and Answer not the end of your Enquiry.

p. 231 The Assemblies Address to his Maty for the Remission of forfeitures upon Navigation Bonds whereof you Send us a Copy and what you write in your Lre upon the Same Subject is att p^rsent under the Consideration of the Com^m of his Matys Customs and we shall be Sure to take all due Care of it when it Comes before us.

We are very Sencible of the prejudice that you Say arises Lib. H. D.
both to Maryland and Virginia by the Takeing up too large
Tracts of Land more then the Grantees are able to Cultivate.
And as we thereupon exhorte you to exert all the power you
have in the redressing of that Evill So we desire you to ppose
unto us very plainly and fully whatever further you think Ex-
pedient to be done both for the remedying of what is allready
past and for preventing the like for the future.

The Act of Gen^l pardon that you propose to be granted to
all his Matys Subjects in that province tho possibly it may be
Expedient And tho the grant of it must of Course Spring
originally from his Maty yet the draught of such a grant must
of necessity be first prepared in the Country where you are
most Sencible and Can best Judge what is wanted Upon the
Sight of which and of the reasons that you may send along
with it (and not before) it will be fitt to deliberate upon it here.

The proposition which you make about a particular pardon
for two Women guilty of Murder ought (in our opinion) to be
laid before the King by way of Petition from thence in the
Name of the persons that Concerne themselves for them
together with a State of theire Case and the Reasons why
they are thought to be fitt objects of Mercy.

As for the Petition of M^r William Dent which you have sent
us with your Opinion upon it, that it may be Expedient he
should be Constituted his Matys Gov^r Gen^l in that Province
however fit he may be for that Office Yet Considering that his
Maty has thought fitt to Constitute onely Attorneys Gen^l and
not Gov^r gen^l uniformly through all his Colonies in America
We do not think it fitt for us to propose to his Maty the Estab-
lishm^t of any such New Officer in any particular place.

The Addresses and Associations that we rec^d from you we p. 232
have Transmitted to one of his Matys Princepall Secrys of
State

These being the things of Chiefe Moment that we Can
write att p^rsent upon Occassion of the Lres or papers that we
have red^d from you we will onely Add one word of direction
which we desire should be Observed in all papers that we may
receive from you for the future. It is that all writeings what-
soever have faire Margents Capable to receive the Notes
which there may Occasion to make upon them. That in the
Journalls and other publicque Transactions, The Heads of
each Matter be Minuted and Sett downe in the Margent by
the Officers who Transcribe them. And th^t all papers what-
soever even petitions Addresses or any thing of the like
Nature be Constantly Dated These things we mention to you
as Rules which we Esteem usefull, That you may require the

Lib. H. D. Observation thereof from all psons respectively. So we bid you heartily farewell

Whitehall Sep^r the 2^d 1697

Your very Loveing freinds

J. Bridgewater
Ph: Meadows
John Polexfen
John Locke
Abr Hill

p. 233 To his Ex^{cy} Francis Nicholson Esq^r Cap^t gen^l and Commander in Chiefe of this his Matys Province of Maryland

New York Aug^t 30th 1697.

Gov^r New
Yorks Lre to
his Ex^{cy} abt
News sent by
Mr Perry &ca

S^r

I acknowledge the ffavour of yo^r Ex^{cy} by Perry and do heartily wish the news you are pleased to Communicate were Confirmed but I doubt our ffeet have not mett that good ffortune. A Sloop from Jamaica whose master was on Board one of the Kings Ships when the ffrench were discovered Says we could not Come up with them so as to bring them to an Engagem^t

I hear nothing of Coll: Gibson or the Earle of Bellamont they are daily Expected one to Resettle Newfoundland the other to Govern this Province and New England, I am S^r

Yo^r Ex^{cy}s

Most humble Servant
Ben: ffletcher

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Maryland, Port of Annapolis, Aug^t 17th 1697.

Gov^r Nichol-
sons Lre to the
Gov^r of New
York abt
news sent
thither

Gov^r ffletcher. S^r

What news we have, I herewith Send yo^r Ex^{cy}, and I hope in God, that we shall have the Confirmation of Vice Admirall Nevills having taken and distroyed Pontees Squadron and Retaken most of the plunder which they got at Carthagena & that we shall have very Good news from Europe, which God Grant.

This being our vacation time for Ships and Vessells coming in we are in hopes and Expectacōn of having news from yo^r Ex^{cy} Governm^t but if any should come hither by accident, worth sending yo^r Ex^{cy} it shall be done by

Yo^r most humble Serv^t
ffr: Nicholson

Comodore
Dilks Lre to
his Ex^{cy} abt
deserting Sea-
men &ca

Hon^{ble} S^r

Severall of the men belonging to the Ships of his Ma^{ty} Squadron under my Comānd having deserted very lately desire yo^r Ex^{cy} will Issue out your Proclamation for the taking them up, In Ord^r to their

being sent hither, being willing at any Charge to pay for Lib. H. D.
bringing them back I am

Bredah at Anchor of Point Comfort 18 th of August 1697 Virginia.	}	Hon ^{ble} Sr Yo ^r most Obliged humble Serv ^t I: Dilkes
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Baltimore County Court Septem. 8th 1697

Return of the
Commis-
sioners of Bal: May it please yo^r Ex^{ncy}
Co: Court in
Answ^r to M^r Baron^t Honrd this Court with his Presence who
Boothbys Lre after he had produced a letter Sent by M^r Edward
abt Indians Boothby to yo^r Ex^{ncy} as also the Ord^r from yo^r
Ex^{ncy} and Councill to some of the Military Officers in this
County (which were publickly Read) his Hon^r was pleased to
make inquiry into the Matters relating to the Indians upon
Complaint of Severall the Inhabitants who had formerly given
their Information to M^r Edward Boothby; the Chief Com-
plain^t with Severall of the ffield Officers, as also the Captain
of the Rangers being then p^rsent, who did declare, that since
the last complaints, yo^r Ex^{ncy} had an Acco^t of from M^r Edward
Boothby, they have not seen nor heard of any misdemean^r or
Incivilityes comitted by the Indians to any the Inhabitants of
this County, this with our thankfullness to your Ex^{ncy} for yo^r
great Care of our preservation is what at p^rsent Offers from

Yo^r Ex^{ncys}

Obliged & Obedient Serv^{ts}

Geo: Ashman

Coll: John Thomas

Tho: Richardson

James Phillips

John Hall

John Oldton

To his Ex^{ncy} ffancis Nicholson Esq &^{ca}

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Answ^r of the
ffield Officers
of Bal. Co: abt
Indians In all humble manner Wee John Thomas,
Thomas Richardson and James Maxwell in Obedi-
ence to yo^r Ex^{ncys} Ord^r p the Hon^{ble} Sr Thomas
Laurence, do in Answer thereto Say, That we the fore-
mencōn'd have raised some fforges in Arms and with them
according to our respective places ranged in Ord^r to the dili-
gent Search after the Indians, but do not neither can find that
any Insolencies of late hath been by any of that Sort comitted
ag^t any his Ma^{ty} Liege Subjects. We doe also Certifye that
we are ready for the ffuture to follow yo^r Ex^{ncys} Ord^r in Rang-
ing as p yo^r Ord^r prescribed untill further Ord^r and if any

Lib. H. D. thing should happen amiss ag^t any of his ma^{ty} Subjects within the Limitts of our County forthwith to Inform yo^r Ex^{ncy} thereof the which is all at p^rsent Offered from

Septem. the 8th 1697

Yo^r Ex^{ncys}

Most Obedient Servants to Pow^r

Col^l: John Thomas

Thomas Richardson

James Maxwell

By his Ex^{ncy} the Govern^r September the 20th 1697.

Ord^r abt the
dismissall of
the Severall
p^rsons Rang-
ing in Bal: Co:

Vpon the Representacōn and Answer of the
field Officers of Baltemore County in Relation to
the Indians and Raising men &^{ca} Ordered that
they no longer Continue or keep any men out a
Ranging on th^t Score but forthwith Call them in and dismiss
them.

Signed p Ord^r Hen: Denton Cl Concil.

Eodem die

Ord^r to the
Rangers of
Baltemore Co:
abt Ranging
&^{ca}

Ordered that the Party of Rangers in Balte-
more County keep Ranging by turns one time
out beyond the Inhabitants pursuant to former
Ord^r and another time into the ffrontier Plantacōns
pursuant to the directions of the last Ord^r sent them.

Lre to Capt
Oldton to be
here at the
Leavy Laying

Cap^t Oldton.

You are Ordered to be down against the Lay-
ing of the Leavy but you must not bring above
one man with you and be sure Leave the Lieuten^t at the
Garrison.

Port of Annapolis, September the 20th 1697.

Lre to Capt
Brightwell to
be here at the
laying of the
Leavy &^{ca}

Cap^t Brightwell.

You are Ordered to be down against the Lay-
ing the Leavy, but you must not bring above one
man with you and be Sure to leave the Lieuten^t
at the Garrison. The Gov^r would have you bring his Duffells
with you. The Committee for laying the Leavy is to meet
the 11th of Octo. next.

Yo^r Servant

Hen: Denton

By his Ex^{ncy} the Gov^r &^{ca}
Septem. the 20th 1697

Lib. H. D.
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Order to the
Justices of
each Co: to
send a list of
the Orphans
&^{ca}

Ordered that the Sherriffs do (upon sight hereof) give Notice to the Justices of their respective Counties that they Speedily meet together with their Clerk and cause a list of all the Orphans within their Counties to be drawn forth and Signifye how the same are put out as also a list of all the Lawyers inhabiting within their respective Counties and of those in particular that are admitted and Sworn Practition^{rs} of the Court and to Signifye how long they have sevally practiced in those Courts and that they Omitt not to return an Acco^t of the publick Roads, pursuant to the directions of the Act of Assembly and former Orders together with the foremention'd lists unto his Ex^{ncy} at the Port of Annapolis by the first day of the Provinciaall Court in Octor. next. His Ex^{ncy} having observed in Severall places of the Province in his Travells that the s^d Law concerning the Roads is not duly Complied with; is hereby pleased to declare that he is Resolved the parties blamable as well Justices as Overseers shall undergo the Rigour of the Law. And it is hereby further Ordered that they return an Acco^t and list of the Names and place of Residence of the Severall Ordinary keepers within their Counties with a Caution that they grant Lycence to none but what are qualifeyed by Law and prosecute all such as keep Ordinary without Lycence and that they also return a list of the Coron^{rs} Commissionated and Sworn.

By his Ex^{ncy} the Cap^t Gen^l &^{ca} A Proclamacōn
Maryland ss.

Proclamacōn
abt Seamen
diserting his
Ma^{ty} Ships of
Warr &^{ca}

Whereas the hon^{ble} Cap^t Thomas Dilkes Comānd^r of his Ma^{ty} ffrigot the Bredah and Comodore of his Ma^{ty} West India Squadron hath Signified unto me how that Severall of the men belonging to the s^d Squadron have lately diserted his Ma^{ty} Service, who (as it is Suspected) have dispersed themselves up & down this Province I do therefore hereby in his Ma^{ty} name Strictly charge and Comānd the Severall Sherriffs of this his Ma^{ty} s^d Province forthwith to make diligent Search & pursuit after the s^d men (by way of hue & Cry) throughout their respective p^{ci}ncits and to Seize and apprehend them or any other wandring Seamen and Saylor's Comāding all Officers Military and Civill and all other his Ma^{ty} Loving Subjects to be Aiding & Assisting to them therein in Ord^r that they may be apprehended and taken. And I do hereby Strictly florwarn

Lib. H. D. and Prohibit all persons whatsoever from sheltering harbouring or any ways assisting the s^d deserters but that on the Contrary they Seize and apprehend them so that they may be brought under Safe and Secure Conduct before me at the Port of Annapolis in Ord^r to be sent on Board Some of his
 p. 131 Ma^y Ships of Warr, whereunto all persons Concern'd are to take due heed and Conform themselves accordingly as they will answ^r the Contrary at their Utmost perrill, the Sherriffs being Ordered to make publication hereof in all publick places within their respective Counties forthwith, Given at the Port and Town of Annapolis Under the Broad Seal of the Province this 20th day of September in the Ninth Year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1697.

God Save the King

ffr: Nicholson

Septem: 21th 1697: 2 a Clock.

May it please yo^r Ex^{ncy}

Coll: Addison
 Lre abt the
 murder of one
 of the Rangers
 &^{ca}

Just now Came two of Cap^t Brightwells men to give an Acco^t th^t this day one John Baker one of the Rangers was killed about $\frac{3}{4}$ of a mile from the Garrison; his head and hands Cutt off and Carried away; with his musket and Byonett and what other things he had with him; I shall take what Care may be in giving the People Notice and preparing what Small fforce is here to be in a Readiness; wishing yo^r Ex^{ncy} Health, I am

Yo^r Ex^{ncy}s Serv^t
 John Addison

Govr of New
 Englands Lre
 to his Ex^{ncy}

S^r

I have Received yo^r of the 17th of August past, as also both yo^r of the 3^d of July foregoing and Render my hearty thanks to yo^r Ex^{ncy} as well for yo^r tender Reguard for his Ma^{ty}s Service in Encouraging what in you lay the sending of provisions for Supply of his Ma^{ty}s forces at Newfoundland as for the intelligence inclosed in yo^r the further confirmation whereof I must Expect from yo^r Ex^{cy} or at least from your parts, this place being wholly barren of forraign News, and diverse Reports here stirring of Admiral Nevils Arrival with the Squadron vnder his Command & several ffrench prizes at Virginia, which I hope may hold true, and then yo^r Ex^{cy} will first have the certainty thereof.

This Coast was lately infested by a small ffrench Privateer from Canada one Outlaw an English Renegade Command^r

I do not hear of any mischief done by the same except the taking of five open Sloops, three of which he burnt & carryed the other two away. Prisoners th' were Landed on Shore by him (which he had some time before taken in fishing Vessells at Cape Sables) inform that there is another small Privateer Ketch from Placentia, with no Guns and Twenty odd Men come upon this Coast of which I have not yet had any further intelligence, hope one of our frigats may meet with them, if they continue vpon this Coast. Lib. H. D.

On the 11th curreant a party of Indians Surprized a Garrison house in Lancaster a frontier Town, burnt the same, kil'd Sixteen persons and Nine more are wanting. If any News from Europe or other parts shall Arrive here I shall communicate the same to yo^r Ex^{cy} and am

Boston

S^r

September 13th 1697.

Gov^r Nicholson.

Yo^r Ex^{cy}

Most affectionate friend & Serv^t

W^m Stoughton

Sept^r 30th 1697

S^r

Coll Addison
Lre to Sr Tho:
Laurence abt
the Garrison
fence being
pul'd down . .

This day came the Lievtent of the Garrison and informs that on Tuesday last the pasture fence at the Garrison was pulled down & all the horses th' were in the pasture drove out and cannot yet be found. The Captain & all his Men are of Opinion that the Indians have done it to draw them from the Garrison that they may have their opportunity of them—the whole people from the Branch is Resolved to draw off being all fully perswaded that the Indians lye not farr from them, waiting their opportunity. Here is not Men in these parts to strengthen the Garrison nor to Assist the Out plantations; being both here & there most of them single Men (or at most) two in a house what to do in this case I desire yo^r Hono^r Ord^r herein whether to draw the Men at the Garrison to the Out plantations or to give Ord^r to Lievtent Coll Thomas Holyday to send some Men out of the stronger & lower parts of the County to strengthen both, which must be speedily done before the inhabitants draw off, to stay them there till his Ex^{cy} Return. If yo^r Hono^r will please to give yo^r Ord^r to Coll. Holyday or any other th' you think fit with what speed possible I will in the interim get what few Men in these parts in a readiness to defend themselves as well as they can; which will be but slenderly. I cannot Express the fears th' people is in, and I wish there may not be a Cause for it, and if they should once begin to draw off, it would

Lib. H. D. dishearten the rest and imbolden the Indians, which with my
humble Service is the needfull at p'sent from

Yo^r Hono^r humble Serv^t Com^{and}

Directed
ffor his Ma^{'ty} immediate Service
To the hono^{ble} S^r Tho: Laurence Kn[']

These

hast post hast.

p'sent

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[Commissary's Authority.]

Henricus pmissione Divinâ Londin. Episcopus Dilecto
Nobis in Christo Peregrine Coney Rectori parochie de Middle
Neck in Maryland Saltm in Dño. Cum Nobis quibz de jure
Diocesis nre Londinen. Spiritualis et Ecclesiastica Jurisdictio
infra Regionem in America Vocatam Maryland ad Coronam
Angliæ Spectantem et pertinentem, notorie competit. p
Informationes fide dignas dilatum fuerit quosdm Mortram
Wright et Ruth Mortram infra Maryland predict Matrimonium
inter se nefarium & incestum contraxisse, et pro viro et
Uxore Se invicem tractare et apud Vicinos ita censeri, ad
grave Scandalum Christiani Nominis et animarum eorum
periculum Nos tali facinore Commoti quantum in Nobis
est illud puniri, et predictum Matrimonium dirimi et pro nullo
pronunciari, Si quod tale (ut præmittitur) de facto contractum
fuerit Intendentes Tibi Cujus Scientiæ et probitati confidimus
Vices Nrâs Comittimus et Commissarium in hac parte Con-
stituimus, potestatemq. Damus, ut Vocatis coram te in
Judiciu pdict. Mortram Wright & Ruth Mortram et factis
probationibus de jure in hac parte requisitis, hoc negotium
juxta Canones Ecclesiæ Anglicanæ et juris Exigent. Andias
et decidas, In quorum Om̃m et Singulorum Fidem et Testi-
monium Sigillum Nrum Episcopale apponi fecimus. Dat.
Tricesimo die Mensis Septembris Anno Dni Millimo Sex-
cenno Nonagmo Septimo Annoq Regni Regis Gulielmi
Tertij Nono

At a Councill by Speciall Appointm^t Met & held at the Lib. H. D.
Port of Annapolis, the third day of October, in the Ninth year
of the Reign of our Sovereign Lord King William the third
&c^a

Annoq Domini, 1697.

Present

His Ex^{cy} ffrancis Nicholson Esq Cap^t Gen^l &c^a

The Hon^{ble} S^r Thomas Laurence Baron^t Secry }
Coll Henry Jowles }
Coll: Nicholas Greenberry }

Ordr for Rais- Vpon a Letter this day Rec^d at the Board bear-
ing 30: Men & ing date the 30th of Septemb^r last past sent by
Officers &c: to Express from the hono^{ble} Coll John Addison
strengthen the wherein is set forth the great fear & consterna-
Garrison & tion the people (living at the Eastern branch of
ffrontiers vpon Potomock) are in, through dread of the Indians, who it is
Potomock . . . suspected, have since the Murther committed at the Garrison,
Potomock) are in, through dread of the Indians, who it is
suspected, have since the Murther committed at the Garrison,
thrown down the ffence belonging to the s^d Garrison & drove
out all the Rang^{rs} horses &c: Ordered therefore th^t (for the
strengthening the said ffrontier Plantations & Garrison) the
Colonel of Ann Arrundell, Calvert & Charles Counties do
(upon sight hereof) each of them draw out, Tenn good
Troopers, such as can be spared, well fitted & furnished, and
if wanting of good arms of their own, that they be furnished
out of the New Arms or other publick Arms, lodged with the p. 549
said Colonels; Viz^t Carbines Bagonets & Pistolls together
with a sufficient Supply of Amunition And that each party
carrye with th^m a brass Lanthorn & Compass, some Granado
pouches with Granado shells and ffuzes. And that care be
taken th^t they may carry with th^m tenn days provision at the
least, and have as many spare horses prest as may be
necessary to carry the same & other baggage.

And as to Officers to Command those Men, it is hereby
ffurther Ordered that a Captain be sent out of Ann Arrundell
County a Lieuten^t out of Calvert and a Cornet out of Charles
County; and that they go directly with their s^d Men with all
possible speed vnto the hono^{ble} Coll John Addison, living in
Prince George's County, where his Ex^{cy} intends (God willing)
to go, in Ord^r to meet them: Ten whereof are to go to the Gar-
rison, to strengthen that place, who are by turns to Range, one
half at a time, betwixt the s^d Garrison, and vp & down the
Eastern Branch aforementioned; vntill they shall Receive
some further directions from his Ex^{cy} or Ordⁿ which may be
left with the hono^{ble} Coll Addison afores^d thereabout. And

Lib. H. D. Lastly it is Ordered that one of the old Rang^r go with each of the said new Raised fforces to shew them the Woods, and th^t others be left in their stead at the Garrison.

ffrontier Plan-
tations vpon
Potomock to
have Notice to
be vpon their
Guard &c: Ordered th^t Notice be given to the ffrontier Plantations vpon Potomock that they be vpon their Guard & stragle not from their Plantations; care being taken to strengthen them by an Additionall Supply of Rangers.

Rang^rs in Bal
County to
keep good
Watch look
well after their
horses and
clear a way to
the Spring Ordered that the party of Rang^r in Baltemore County (upon this Noise of Indians) keep good Watch & looke well after their horses; and th^t they keep them together in or near to the ffort and Clear a broad way down to the Spring & keepe Ranging pursuant to the late Ord^r sent them.

ffrontier Plan-
tations in A:
A: County to
have Notice to
be vpon their
Guard Ordered that the Colonel of Ann Arrundel County give Notice to the ffrontier Plantations of the s^d County to be vpon their Guard & not stragle farr from their Plantations during this noise of Indians. One Woodcough a Mattapany Indian being lately Seized vpon suspicion of being made privy to the late Murther comitted at the Garrison, at the head of Potomock was brought before this Board & Examined. Then produced & Read the Examination of Coll Ninian Beal & Deposition of Thomas Ryley in that behalfe Whereupon the following Commitm^t was by Ord^r issued, Viz

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By his Ex^{ncy} the Gov^r & Councill, October 3^d 1697.

Woodcough
an Indian his
Commitm^t Whereas a certain Mattapany Indian called Woodcough, being lately Seized & Apprehended vpon Suspicion of being made privy to the late Muther committed at the Garrison, at the head of Potomock, who having been Examined at this Board, together with Coll Ninian Beal & one Thomas Ryley of Prince Georges County, Evidences in this matter, whereby it is greatly to be suspected that the s^d Indian holds correspondence with the Piscattoway Indians, supposed Enemies to his Ma^{ty} & this Governm^t and th^t in all probability he is knowing of the parties th^t did th^t Murther Ordered therefore that the Sheriff of Ann Arrundell County do (upon sight hereof) Receive into his custody the body of the s^d Woodcough herewith sent, and him in close & safe custody keepe, vntill he shall thence

be delivered by due course of Law; for which this shall be Lib. H. L.
sufficient warrant, Given from the Councill Board the day &
year above written.

Signed B Ord^r
Hen: Denton Cl Concil.

Then was the following Summons by Ord^r issued; Viz^t

By his Ex^{cy} the Gov^r & Councill, October 3^d 1697.

Sffe. of Prince
Georges
County
Order'd to
Sumons Evi-
dences ag^t the
Indian
Woodcough

Ordered that the Sherriff of Prince Georges
County do (vpon sight hereof) Sumons Coll
Ninian Beal, Hugh Ryley & Thomas Ryley his
Son to be & Appear before the Justices of the
Provinciall Court the 12th of this instant October
to testify the truth of their knowledg, in behalf of
his Ma^{ty} what they know concerning one Woodcough a
Mattapany Indian, now in custody of the Sherriff of Ann-
Arundell County. And th^t he Summons all other persons, as
he shall vnderstand can give any Acco^t of the s^d Indians
having had late communication with other Indians &c: to be &
appear to the end & purpose afores^d

Signed p Ord^r
Hen: Denton Cl Concil

His Ex^{cy} Signifying his intentions of going to the hon^{ble}
Coll Addison in the Morning is pleased to direct th^t his hon^r
S^r Thomas Laurence Baron^t Secry take Care to give Answer
to any Business th^t may come in the interim; and th^t if any p. 551
thing of extraordinary import should happen before his
Return, he may have speedy Notice thereof.

His Ex^{cy} is pleased to demand of the Board, if they can
Advise anything further to be done for his Ma^{ty} Service in
this Affair about the Indians, who Say they cannot.

The Province of Maryland is Debt^r to Severall p Order of
the Assembly Viz^t

To money paid M ^r John Perry p Receipt	32.	18.	08
To m ^o payd his Ex ^{cy} p Receipt	90.	06.	11
To Sallary to Cap ^t Rich ^d Hill Allowed for 22 ^{lbs} 3 ^s 1 ¹ / ₂ ^d att 8 p Cent	01.	15.	07
To payd Ditto p Order for Wallnut plank for boxes for the Records.	01.	14.	09
To payd M ^r Philip Clark for Sallary for 46. 16. 2 ^d att 8 p Cent	3.	14.	06
To m ^o payd his Ex ^{cy} more	57.	18.	04

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Lib. H. D. To Sallary to M ^r Geo: Plater for money rēced for 3 ^d p hhd		^{l.}	^{s.}	^{d.}
To Sallary for M ^r Sam ^u Watkins for 127. 13. 06 as p his Acc ^t appears		01.	05.	07
To m ^o payd his Ex ^{ty} as p Receipt more then Above		10.	03.	00
		22.	09.	03
To my Salary of 4 p Cent for 222: 14: 09		09.	08.	00
		231.	14.	07
To money have engaged to M ^r Perry more to make up his 50 ^l		17.	01.	04
		248.	15.	11

Errors Excepted p Rob^t Mason Treasurer.

	Is Con ^a Cred ^r		^{l.}	^{s.}	^{d.}
By money Due as p M ^r Philip Clarks Acc ^t Appears		46.	16.	11	
By m ^o due as p M ^r Rich ^d Hill's Acc ^t appears he rēced		22.	03.	01 1/2	
By money due as p M ^r Sam ^u Watkins acc ^t appears Received		127.	13.	06	
By M ^r Geo: Plater for m ^o of M ^r Joshua Whiteing Cap ^t Jones & Cap ^t Payne left unpaid the 3 ^d p hhd the year 1695		16.	00.	00	
By m ^o Rēced of M ^r Sam ^u Watkins for Cap ^t Pellews Clearing		10.	01.	03	
		222.	14.	9 1/2	
By money due to me on this Acc ^t		26.	01.	01 1/2	
		248.	15.	11	

The Province of Maryland D^r

To m ^o paid M ^r John Perry		50.	00.	00
To Sallary Allowed Cap ^t Rich ^d Hill for his acc ^t 22. 01. 11 at 8 p Cent is		01.	15.	07
To m ^o paid his Ex ^{ty} as p Receipt		90.	06.	11
To p ^d M ^r Rich ^d Hill for black wallnutt plank for Secrys Office		01.	14.	09
To Sallary Allowed M ^r Phillip Clark for his Acc ^t 46. 05. 09 ^d att 8 p Cent		03.	14.	00
To m ^o payd his Ex ^{ty} more		57.	18.	04
To Sallary Allowed M ^r Plater for his Acc ^t of 16. 00. 00. att 8 p Cent		01.	05.	07
To m ^o p ^d his Ex ^{ty} more		22.	09.	03

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	l.	s.	d.	Lib. H. D.
To Sallary Allowed M ^r Watkins for his } Acc ^t	10.	03.	00	
To Sallary due to me for Accounting with } the above Officers att 4 p Cent for 212. 01. 02	08.	10.	00	
	247.	17.	05	

Errors Excepted p me Robert Mason Treasurer.

Is Con^r Cred^r

By M ^r Clark's Acc ^t	46.	05.	09
By Cap ^t Rich ^d Hills Acc ^t	22.	01.	11
By M ^r Sam ^l Watkins Acc ^t	127.	13.	06
By M ^r Platers Acc ^t	16.	00.	00
	212.	01.	02
By Ball: Due to me to ball.	35.	16.	03

At a Council met and held at the Port of Annapolis the 12th day of October in the ninth year of the reign of our Sovereign Lord King William the third &^{ca} Annoq Dom. 1697

Present

His Exn^{cy} ffran: Nicholson Esq^r Cap^t Gen^l &^{ca}
 S^r Thom^s Laurence Baron^t Sec^{ry}
 Coll: Henry Jowles
 Coll: Nich^o Greenberry
 Thom^s Tench Esq^r

Ordered that a certain returne made from the Justices of Calvert County Court here produced & read (in relation to a late Ord^r of his Ex^{cy} passed for suspending & debarring M^r Iam^s Cranford from practiceing as an Attorney in any of the Courts within this Province or undertaking any new causes within the same) be referred to the Kings Lawyers for them to make report whether the s^d Return be not contempt to his Ex^{cy} said Ord^r in refusing to yield obedience thereto; and whether it be not the Kings prerogative to dismiss or suspend any persons from practiceing the Law as he thinks fitt. And lastly that they make report what course is best to be taken ag^t the Justices for such their returne.

Their Report follows Viz^t

Lib. H. D.

Octob^r 14th 1697.

May it please yo^r Ex^{ncy}

We have considered the within written return of the Justices of Calvert County Court relating to Iam^s Cranford, and we are of opinion that it is contempt in the Justices in not obeying yo^r Ex^{ncys} ord^r we are also of opinion that yo^r Ex^{ncy} may dismiss or suspend any person from practicing the Law within this Province, upon a just Sufficient cause shown to yo^r Ex^{ncy} The process proper ag^t the s^d Iustices is a Venire facias Unless yo^r Ex^{ncy} will be pleased to call them before yo^r Selfe and the Hono^{ble} his Maj^{ty}'s Privy Councill All which we do humbly Submitt to yo^r Excy.

Geo. Plater
William Dent
R. Gouldesborough

p. 556

Octob^r the 13th 1697.

The Council again sate & were present

His Ex^{ncy} ffran^s Nicholson Esq^r Cap^t Gen^l &^{ca}

S ^r Thomas Laurence Baron ^{us} Sec ^{ry}	}
Coff: Hen ^r Iowles	
Coff: Nicholas Greenberry	
Thomas Tench Esq ^r	
Iames ffrisbey Esq ^r	

Ordered that M^r Iohn Hawkins of Kent County be inserted in the new Provincial Comission in the room & stead of Major Thom^s Smith of the said County who by motion, of Coff: Hinson and himselfe was put into the new Comission of the peace for that County.

Vpon motion of Cap^t Richard Brightwell Comand^r of the party of Rangers upon Potomock. Ordered th^t the Comissary take no fees for any Administration granted out upon the Estate of John Baker, one of the said Rangers lately kill'd at the Garrison, by reason the Estate is small, and that he was kill'd in the Kings Service.

Ordered that the Rangers belonging to the Garrisons of Potomock and Baltimore be permitted to take up one or two wild unmarked horses a piece (being deemed for his Majestyes Service) provided they break & train them up for the use of their Ranging, and not sell them.

Octob^r the 14th 1697

Lib. H. D.

The Council again sate and were present

His Ex^{cy} ffran^o Nicholson Esq^r Cap^t Gen^l &^{ca}
S^r Thomas Laurence Barronth Se^{cr}y

Col ^l : Henry Jowles	} Thomas Tench Esq ^r }	
Col ^l : Geo: Robotham		Thomas Brook Esq ^r }
Col ^l : Nich ^o Greenberry		James ffrisbey Esq ^r }

Severall Letters, depositions & papers concerning the Indians &^{ca} were produced to the Board & read; as also what late Orders were given from his Ex^{cy} & some of his Maj^{ty}s hono^{ble} Councill upon the late Murther committed at the Garrison. His Ex^{cy} acquainting the Board how farr he has proceeded & what further directions he left with Col^l Addison for strengthening the frontiers & Garrison. He is pleased to demand of the Board what Course is most fitt & proper to be taken therein; Whereupon the matter being maturely debated & considered; it is the opinion of this Board, that the calling of an Assembly this Winter time, upon this occasion, will be very chargeable and inconvenient; w^{ch} charge is supposed might go a great way in maintaining a Sufficient number of men for strengthening the ffrontiers and preserving them in safety this Winter, but that they hold it advisable to take the Opinion of the Iustices & Grand Iury of the Provincia^l Court (now mett together) what their sense is, and to thoroughly consult the best methods of securing this his Maj^{ty}s Province & Government in peace and safety from all attempts & assaults of the Indians; and especially to settle the matter about the Piscattaway Indians, who are suspected to have been guilty of all these disturbances & villanies; which his Ex^{cy} is pleased to say cannot well be done till Col^l Addison comes to Town who is hourly expected.

The Gentlemen that were sent to the said Piscattaway Indians upon the treaty Ordered last June, were comanded (according to a late summons for their appearance at this Board) to be called in; and accordingly appeared Major ^{p. 557} Smallwood Major Barton M^r Hutchison M^r Wight & M^r Hawkins the Hono^{ble} Thom^s Tench & Thomas Brooke Esq^r Two of the Gentlemen that also went upon that Treaty being present.

His Ex^{cy} is pleased to demand of them what their sentiments were as to the said Indians, and whether they did believe they were sincere & hearty in expressing their resolutions of returning for Maryland, when they discoursed them upon the treaty. Who do severally make answer that they

Lib. H. D. seem'd very hearty & sincere in such their intentions, and that they never heard any thing else to the contrary since.

M^r Richard Cloud, one of the persons by Act of Assembly appointed for deciding differences with the Choptico Indians &^{ca} came also according to summons who is asked if any of that Nation of Indians are now at Choptico, and in what manner they live: Who say's that there are severall Indians at Choptico who have built severall Cabins up & down thereabouts, but that the Neighbourhood is very suspicious they design not to stay long in those parts by reason they are a making severall Canoes more than usuall.

The said Gentlemen being Ordered to withdraw; Major Smallwood was by Order called in to whom his Ex^{ncy} sayes, that he being a person that has frequently dealt and traded with the Indians; therefore asks him his own thoughts about the Piscattaway Indians; and how much powder he did generally deale wth them for in a year. Who makes answer th^t he believes these late disturbances may have putt them at p^rsent into some dread & fear, which might obstruct their returne; but th^t if they were sent to & satisfyed & all misunderstandings removed, he is of opinion they would return again. And that as to powder selling to them, he believes he might sell them 150, or 200 weight in a year. Major Barton another Indian Trader, being sent for & asked the same questions, is much of the same Opinion wth Major Smallwood. And as to powder selling he does believe he generally sold them upwards of 300 weight in a year and does think they may use at least six or seaven hundred weight of powder in a year.

M^r Hutchison being called in is told by his Ex^{ncy} that he having lived neer the Piscattaway ffort for some years & had communication wth them, asks him his sentiments of the said Indians, whether he believes th^t they will return back or no; Who say's that it is his beliefe they will scarce come back, by reason the Virginians (as he is inform'd) infuses strange notions into their heads, by telling them th^t if they go back to Maryland they will be all destroyed, and th^t as long as they keep in Virginia they will be safe and protected, saying that it is two or three of the Indian Traders there th^t supports them in those fancies & supply's them wth what they want and therefore thinks it will be a hard matter to gett them back, notwithstanding they seem'd so fair upon the Treaty.

M^r John Hawkins is called for and asked whether or no he has not lived neer the Piscattaway ffort for severall years & had converse with severall of them, who sayes he has.

He is asked what he thinks concerning the Piscattaway Indians whether he thought they were inclinable to returne

or no; who makes answer that he believes that some of them are inclinable & some not, but thinks th^t the Emperor is not inclinable to come back. Yet does believe King Peter & some others of them would be glad to return if they durst venture for the other Indians. Lib. II. D. p. 558

He is asked (if he used to trade wth them) how much powder he might sell them in a year. Who say's that he has had some small trade wth them, and that he believes he may have sold them 150 weight a year, and does think they may use at least seaven or eight hundred weight a year, but do keep a constant Magazine by them besides.

Produced & read two severall acco^{ts} sent from Virginia concerning the late assassination comitted by Indians on the boddy of one William Wiggentons wife and three Children in Stafford County, in his Maj^{ty}s Colony of Virginia aforesaid.

One being an Examination taken before some of the Magistrates of th^t County; and the other from Cap^t George Brent of the said County setting forth (among other things) how th^t a certain Indian called Esq^r Tom, one of the chief actors of the aforementioned Villany, had made his escape from thence into these parts,

Then read the deposition of one Moore of Charles County and a Proclamation of his Ex^{cy}s relating to the said Esq^r Tom directed to the Sherriff of Charles County afores^d for the seizing & apprehending the said Indian with a reward of five pounds ascertain'd to the person th^t should apprehend him &^{ca} And it being signified by another paper read th^t the said Indian Esq^r Tom has since been seen & spoke with by some English Inhabitants of Charles County & suffer'd to escape, notwithstanding his Excell^{cy}s said Proclamation.

Ordered therefore that a Generall Proclamation issue to the severall Counties of the Province for the seizing & apprehending the said Esq^r Tom; and that a reward of Tenn pounds Sterll be therein ascertain'd to the party or parties that shall take & deliver him up in Virginia aforesaid. And th^t all persons harbouring or conversing wth the s^d Indian be dealt withall according to the utmost severity of the Law.

Octob^r the 18th 1697.

A Proclamation, being accordingly prepared, was produced read and signed by his Ex^{cy} and passed the Broad Seale of the Province, the Teno^r whereof follows in these words. Viz^t

Lib. H. D.

By his Ex^{ncy} the Cap^t Gen^l &^{ca}

A

Proclamation

Maryland ss

Whereas I lately issued a Proclamation, under my hand & Seale, bearing date the 28th day of Iuly last past therein promising a reward of five pounds sterll for the seizing & apprehending a certain Indian Man, known & called by the name of Esq^r Tom, who by confession of the Indians and many other pregnant proofes is said to have been a Principall actor in the late horrid & barbarous assassination, comitted in Stafford County, on one William Wiggentons wife & three Children in his Maj^{ty}s Colony in Virginia, and who hath absconded & fledd from Iustices there. And forasmuch as I am since informed that notwithstanding such my Proclamation he hath been publickly seen & discoursed by some persons in Charles County, who omitted their duty in the proemises, I do hereby in his Maj^{ty}s name (by & with the advice & consent of his Maj^{ty}s Hono^{ble} Councill) will & require as also strictly charge & Comand all officers Civill & Millitary and all other his Maj^{ty}s loving Subjects within this Province to make diligent pursuit and inquiry after the said Indian; strictly prohibiting all persons whatsoever from any waies
p. 559 aiding sheltering or assisting him the said Esq^r Tom (under the severest penalties) but that on the contrary they seize apprehend & take into custody the s^d Indian Esq^r Tom, either alive or dead, if any resistance, and him putt under safe and secure Guard till he be convey'd & deliver'd to Cap^t George Mason his Maj^{ty}s Comand^r in Chiefe of Stafford County aforesaid of whom they are required to take receipt for the same Indian; Of w^{ch} all persons are to take due notice & give all diligent assistance, at their utmost perill. And for a reward thereof & expedition therein I do assure the party or partyes, who shall seize & take the said Esq^r Tom and deliver him as aforesaid Tenn pounds Sterll. Given at the Town & Port of Annapolis under the Broad Seale of the Province this 18th day of October in the 9th year of the Reign of our Sovereign Lord King William the third &^{ca} Anoq Domini 1697.

ffr: Nicholson

God save the King

Then Read a Letter writt by M^r Edw^d Boothby of Baltimore County unto his Ex^{ncy} sent & directed, bearing date the 19th of August last past, giving an account of some insolencies lately comitted by Indians in those parts, together wth an

answer sent to the said Letter, wth caution to summons the Lib. H. D.
Complainants to appear at that County Court house &^{ca}

Order being sent to the field Officers & Rangers of that
County to strengthen the frontiers thereof &^{ca}

Then read a return of the Comissⁿ of that County Court,
as also another of the field Officers there; signifying their
having rec^d an account by the Hono^{ble} S^r Thomas Laurence
of the complaints contain'd in M^r Boothbyes Letter, but that
they knew of no such complaints nor disturbances. After-
wards was read an Order for discharging the men raised for
strengthening those frontiers.

Ordered that an answer be writt to the s^d Comissⁿ & field
Officers of that County to signify that this Board do approve
off & are well satisfyed in their Said returne.

The Hono^{ble} Coll^o John Addison came & was added, who
being acquainted that all his Letters and papers concerning
the Indians had been read; he is asked if he had any further
account to give about them, who says he has no further
account to give. Whereupon the following summons was by
Ord^r issued for consulting the best methods to be taken in
this affair. Viz^t

By his Exn^{ty} the Govern^r & Council 8^{br}

Octo^r the 14th 1697.

Ordered that the Sherriff of Ann Arrundell County do
upon sight hereof give notice to & sumons the Honoured
the Iustices of the Provincial Court, the Comitte^e for laying
the Publick leavy the Grand Inquest for the body of this
Province & Major Smallwood, Major Barton & the other
persons that went upon the Indian treaty & M^r Richard Cloud
for to meet his Ex^{ty} & Councill at the State house tomorrow
morning early, together with his Maj^{ty}s Counsell at Law in
Order to consult about Indian affairs; and that care be taken
(during th^t time) no persons besides be Suffered to come
near the s^d house.

Signed p Ord^r
Hen^r Denton Cl Concl

Read a Petition of M^r John Jones of Cæcill County setting p. 560
forth that whereas he had given Bond to the Navall officer of
that County for payment of the Tenn p Cent duty for a
parcell of household goods & wearing apparrell belonging to
the said Iones, which he was carrying to Pensylvania, upon
removall of himself & family thither, being valued at 137^{lb}:
10^s: 00^d: Sterll w^{ch} he humbly conceives do not come within

Lib. H. D. the purview of th^t act; therefore prayes he may be discharged therefrom & his Bond delivered him up to be cancelled Ordered that the said Petition be referred to the Kings Lawyers to consult and make report whether by Law he ought to pay the same or not.

The same came Reported as follows Viz^t

May it please yo^r Ex^{ncy}

We have considered the case of M^r Jones and are of opinion as follows.

1st That the intent of th^t Act for Imposition of Tenn p Cent (as by the preâmbles appears) was only to lay hold of Goods that were transported in & out of this Province for Sale & Traffick, but not such as were for domestick and Personall use &^{ca}

2^d That it appears by Major Thompsons Information that the greatest part of those goods he has seen & that they are only the necessary & usefull goods of his personall & Domestick use & the implements of his trade.

Therefore upon the whole matter we are of opinion th^t the said Goods are not lyable to the Tenn p Cent, either by the Letter or reasonable intent or construction of the said Act w^{ch} is humbly submitted by

Your obedient Servants
Will^m Dent
George Plater.

The above Report is approved off and the Prayer of the Petitioner granted.

Read a Petition of M^{rs} Elizabeth Tripp of Dorchester County, for remittance of two fines of 500^{ls} of Tob. each, was granted and the fines therein specyfied was ordered to be remitted accordingly.

Read a Petition of one Kympton Mabbot for remittance of a forfeited Cognizance of his being cast into Prison by John Edmondson, whereby he is brought into a very low condition, and unable to right himselfe, being much injured and wrong'd by the s^d Edmondson; therefore humbly prayes Councill may be assign'd him, and that he may be admitted in formâ pauperis

Ordered that the said Petition be referred to Geo: Plater Esq^r as the Kings Receiver as to the ffine and to the Kings Lawyers for their advice, as to the other matter in Law.

M^r Will^m Sharp according to summons appearing to answer his contempt & neglect in not sending his Ex^{ncy} notice of Admirall Nevills arrivall in Virginia. is dismissed from his

further attendance. His Ex^{cy} being satisfied by a Letter Lib. H. D. since rec^d that he was not blameable as was then represented in Council.

M^r Rob^t Vngle Reg^r of his Maj^{ty} Court of Vice admiralty on the Eastern Shore, signifying to this Board how that being concern'd in Trade and that his business would necessarily call him for England, so th^t he could not possibly attend the execution of his said Com^{mission}; therefore humbly prayed he might be dismiss^t therefrom and some other person appointed, which is accordingly granted him and his Com^{mission} surrendered up at the Board.

October the 15th 1697.

p. 561

The Councill again sate and were present.

His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^l &ca.

S^r Thom^s Laurence Baron^l Sec^y

Coll Henry Jowles

Coll George: Robotham

The Hono^{ble} Coll: Nich^o Greenberry

Thomas Tench Esq^r

Coll^o John Addison

Thomas Brooke Esq^r

Iames ffrisbey Esq^r

Pursuant to sumons yesterday the severall Gentlemen appointed Mett his Ex^{cy} & Councill this day at the State house to consult about Indian Affairs. George Plater Esq^r Maj^r Will^m Dent, and M^r Rob^t Goulesborough his Maj^{ties} Counsell at Law came likewise.

His Ex^{cy} is pleased to tell them to the effect following Viz^t

That the occation of Calling them together at this time was about the late murther committed (by Indians) at the Garrison upon Potomock; but whether it might be advisable to break out into a Warr with them or not, he could not yett determine.

That he considered the calling of an Assembly upon this occasion could not so well be done now, by reason of the Winter Season, coming on & that an Assembly could not possibly be gott together under forty dayes time, besides the great charge which thereon would necessarily accrue; having no other business at present inductive to call them. But is in hopes that such methods may be found out (upon the mature consultation of the Gentlemen now present) as may secure this his Maj^{ties} Province from the assaults & attempts of any

Lib. H. D. Indian Enemies, till such time as an Assembly for other matters may be conveniently called together, being not willing to putt the Countrey to more charge then needs must; Therefore took this method of having the concurrent advice of the Iustices of the Provinciaall Court, the Grand Inquest for the boddy of this Province, the Gentlemen that went upon the Indian treaty, and those appointed by the Gen^l Assembly of this Province for laying the Publick Leavy; whereby as neer as possible (without an Assembly were called) the sense of the whole Countrey will be had.

Whereupon his Ex^{ty} is pleased to propose that for security of the ffrontiers of this Province against Invasion of Indians or the like there be chosen out of the Six Counties of the Western Shore, two hundred men such as can be best spared, in Ord^r to be allwaies in a readiness upon any warning to Rendezvous at such place or places as shall be directed, where all necessary Arms &^{ca} are to be lodged ready to fitt & Equipp them out for service, and that each person appointed find himsefe a good horse; And that the Publick Armes be well fitted for that purpose & lodged accordingly; And th^t the ffrontiers of Potomock be assisted by 100: of the said Men to be raised out of S^t Maries, Charles, and Prince Georges Counties, upon any occasion or commotion of Indians And that the Garrison & ffrontiers of Baltimore County be assisted by 100 men to be appointed & raised out of Ann Arrundell, Calvert, and Baltimore, County afores^d, but that none of the aforementioned Men be kept in service; unless upon Invasion or Commotion of Indians &^{ca}

p. 562 That they Recommend some fitt persons for Officers to Comānd those men, who shall receive Commissions accordingly; but that none of the said men be taken out of the ffrontier Plantations.

That two hundred men be appointed in likemanner out of the five Counties on the Eastern Shore to be fitted & fixt with the Countrey arms &^{ca} which are to be lodged in particular places whither they may know to repair and make their Rendezvous. Officers to be recommended and Commissionated as aforesaid.

That the men have all Horses and be accoutred accordingly.

That five men more be added to the Garrison, upon Potomock, and eight men & two Officers besides for defence of the ffrontiers in those parts.

That Smiths be Imprest & Overseers appointed to see that the Publick Armes are well fitted & fixt.

That there be two or three Boats provided & got ready to be kept in the most convenient places upon Potomock, for sending expresses or the like (upon any occasion) by water.

That there be boats provided in such other places as shall be Lib. H. D.
thought necessary that may be ready to be had upon all
occasions.

Proposed that one of his Maj^{ties} Hono^{ble} Councill & some
other Intelligible person be sent to his Ex^{ty} the Govern^r of
Virginia to acquaint him wth the disorders here happen'd
upon Potomock and the fears the people thereabouts are in,
by means of the Indians, and that his said Ex^{ty} be desired to
send for the Emperor and some of his great men to know
their intent, and that the said two Gentlemen have a Latitude
given them to discourse them in presence of his said Ex^{ty} or
other Gentlemen to be appointed for that purpose.

Read the first Articles of peace by the Emperor of Piscatto-
way entred into; as also the last before the whole Assembly
by w^{ch} it appears they have committed breach, of the same by
deserting this Government &^{ca} thought fitt that Copyes of the
same be drawn forth & given, to the two Gentlemen th^t are to
go; Proposing the Hono^{ble} Thom^s Tench Esq^r and Major
Will^m Dent for the persons to go upon this affair, who are
well approved off.

The said Esq^r Tench humbly moves to be excus'd from
negotiating that affair, using severall arguments and giving
divers reasons for the same, but would not be admitted.

Proposed that his Ex^{ty} S^r Edmund Andros be desired to
appoint some Gentlemen of that Government who may go
with the said Esq^r Tench and Major Dent to some convenient
place whither they may send for the Emperor & some of his
great men to discourse and acquaint them that if any of the
Indians belonging to the said Emperor should do any mis-
chiefe in Maryland, they should be surrendered up to Iustice
and not protected & sheltered there.

That Cap^t Phillip Hoskins and M^r Will^m Hatton be joyned
with them therein, if in case his Ex^{ty} S^r Edmund Andros do
agree to send some Gentlemen &^{ca} and that Henry Moor be
Interpreter to go with them.

That it be signified to his said Ex^{ty} how that we are
informed the Piscattoway Indians have strange notions in
their heads that the Marylanders wanted to draw them back
only to destroy and kill them, and that if they did any mis-
chief in Maryland, they should be protected In Virginia as
long as they lived there.

That it is reported the Virginia Rangers make frequent
Alarms in the night by hollowing & firing of Gunns, without p. 563
any occasion; Therefore proposed that his said Ex^{ty} be
desired that the Rangers may agree upon the Alarm & not
keep hollowing and firing of Gunns in the night.

That his said Ex^{ty} be addressed to appoint the said Rangers

Lib. H. D. to keep Garrison at M^r Ousleys Plantation in Stafford County or some where thereabouts convenient, whereby the Rangers on this side Potomock may easily have communication with them.

This his said Ex^{cy} be desired to give Instructions to the Comand^r in Chief of Stafford County and to the aforesaid Rangers to hold a frequent correspondence with the Hono^{ble} Coll John: Addison and the Rangers on this side; they having already Instructions to do the like from hence thither.

That a number of Men out of each Province be by consent appointed to go out in the Spring of the year to find out the mountain Indians that are said to be beyond the Piscattowayes, where they are now seated.

That the Gentlemen and Cap^t Hanstilman appointed to go to the Indians at the head of the Bay by an Ord^r of the last Assembly be put in mind thereof to see the said Ord^r executed and complied with, understanding nothing has been done therein as yett; And that they acquaint the Shevanor Indians his Ex^{cy} never rec^d those presents said to be sent by Coll Herman.

That a former Ord^r about laying out the Land for the Choptanck Indians be renewed and complied with, understanding that Major Smithson the Surveyor appointed had (through sickness) been the occasion of its not being yet done.

His Ex^{cy} is pleased to say that the Nanticoke Indians are likewise desirous to have their land runn out, but that Coll Hutchins who is best knowing in that affair is not yet come.

Ordered that a Com^{it}tee be appointed to consult & consider of the foregoing severall proposalls and matters and to draw from thence such conclusions, by them to be putt in such method and forme as they shall think fitt to be laid before his Ex^{cy} S^r Edmund Andros his Maj^{ty}s Govern^r of Virginia and the Piscattoway Indians; the approbation of all the Gentlemen now mett being therein first had and obtain'd.

Whereupon the following Gentlemen were nominated and appointed of the said Com^{it}tee Viz^t The Hono^{ble} S^r Thomas Laurence Baron^t Sec^{ry} Coll Geo: Robotham, Thom^s Tench Esq^r and Coll John: Addison Members of his Maj^{ties} Hono^{ble} Councill, Cap^t Phillip Hoskins, M^r John Polland M^r Francis: Jenckin and M^r Will^m Hatton Iustices of the Provinciall Court M^r Thom^s Sprigg Iun^r M^r In^o Watkins Cap^t Henry Hardy, M^r Thomas Brown, M^r Thom^o Iones M^r Mich^l Holland, M^r Thomas Taylor, M^r John Hazlewood Gentl of the Grand Jury. M^r John Hall one of the Com^{it}tee for laying the publick leavy. Major Will^m Barton, M^r Will^m Hutchison two of the Gentlemen that went upon the Indian treaty. M^r Rich^d Cloud and

Major W^m Dent, persons appointed upon the Committee Lib. H. D. besides; being all Ordered to meet at M^r John ffreemans house this night by Seaven of the Clock. And that the Clerk of the Councill & M^r Will^m Bladen attend them with the Councill Booke and all other papers necessary, and that one of the Vndersherriffs attend at the Doore.

His Ex^{ty} is pleased to demand of the Gentlemen of the Councill (being now withdrawn from the State house) whether they can advise anything further (for his Majesties service) to be done in this affair about the Indians; who say they cannot.

Severall persons being appointed to meet his Ex^{ty} and Councill this day at the State house, to consult about Indian Affairs &^{ca} among other things it was taken into consideration, and Ordered that a Committee be appointed to view the Statehouse worke &^{ca}

1st To see whether the Statehouse be performed according to Articles & what is done over & above the agreement.

2^{ndly} That the worke be done about the Cupilo and Galleries be viewed and valued.

3^{dly} To consider the having a small raile round the Kings Picture to keep the People off.

4^{thly} That they view the window frames of the Church and the foundation &^{ca} whether the s^d foundation be well secured this Winter, and to view the fframe of the Gatehouse now ready to be sett up.

The Hono^{ble} Coll Henry Jowles and Thomas Brook Esq^r are appointed to joyne with the said Committee with some of the Justices & Grand Jury of the Provinciaall Court—and Ordered accordingly—And that M^r Henry Wriothsley attend them as Clerk to draw up their Returne in writing. And that an Vnder Sherriff attend them at M^r John: ffreemans house (the place appointed for their meeting) to summons any workemen or other persons they think fitt to call before them.

Octob^r the 16th 1697.

The Councill againe sate and were present as before except S^r Thomas Laurence.

His Ex^{ty} being acquainted that the Committee appointed to consult about Indian affairs had broke up their Committee.

Order is thereon given to the Sherriff to Summons all the Iustices & Grand Iury of the Provinciaall Court together with the other persons that yesterday mett his Ex^{ty} in Councill about the said affair, for to meet again at the Statehouse forthwith, who accordingly mett together, except S^r Thomas Laurence and Coll Nicholas Greenberry, two of his Maj^{ties}

Lib. H. D. Hon^{ble} Councill The Hon^{ble} Coll^o Charles Hutchins came and was added. It being late in the night and some other business interfering; The return of the Committee about Indian affairs is referred till munday morning to be read.

His Ex^{ncy} and his Maj^{ties} Hon^{ble} Councill being again repair'd to the Statehouse where the Gentlemen yesterday present were also mett.

The Com^{mittees} returne for inspecting and veiwing the Statehouse was produced and read.

M^r Iacob Vangazell being by Ord^r sent for appears. He is told the Doore locks are very badd; who says he will allow for them.

p. 565 He is asked if he is legally qualified to receive the money due for the overplus worke of the Statehouse in behalf of Maddam Herman Execu^r of Coll Herman Dec^d The undertaker; Who sayes he has a Letter of Attorney from her which was produced & read publickly; but the same did not appear to be proved; however is deem'd sufficient enough.

The said M^r Vangazell is told that care is taken, to lodge the money with Major Hammond & Major Dorsey, who are ordered to pay it as soone as the House is compleatly finished.

He is asked if he has any further charge to bring in then what is contain'd in the s^d Com^{mittees} returne, now read, who sayes he has nothing to charge, unless it be for his own trouble & care in seeing the overplus worke done.

Vpon complaint made by the said Committee, what money is coming due to the aforementioned Mⁿ Herman Ex^r &^{ca} ffor the overpluss worke at the Statehouse. Do find th^t for the same Remains due to the s^d Mⁿ Herman the sum of fifty two pounds one shilling Sterll being full satisfaction for all dues & demands whatsoever that can be claim'd by the s^d Execu^r or by M^r Iacob Vangazell in and about the building and finishing the said State house.

Ordered that his Ex^{ncy} the Govern^r be desired (pursuant to a late Ordinance of Assembly) to give his Warrant to Major Thomas Smithson Treasurer of the Eastern Shore for payment of the s^d Sum unto M^r Iacob Vangazell Attorney of the s^d Mⁿ Herman, and that the said Treasurer take a Sufficient receipt A discharge for all accounts w^hsoever upon the Score of building the said State house & the Overplus worke of the same.

The said Warrant was drawn accordingly & signed and Sealed by his Ex^{ncy} as followes Viz^t

Major Smithson.

In pursuance of an Ordinance of last Assembly (held

at the Port of Annapolis the 26th day of May and ended the 11th of June after) Empowering me Francis Nicholson Esq^r Cap^t Gen^l and Govern^r in chief of his Maj^{ties} Province of Maryland for drawing any notes upon the Treasurers of this his Maj^{ties} Province for payment of all such sum or sums of money as should be remaining due to the Estate of Coll Casparus Herman Dec^d for finishing the State house worke within the Port & Town of Annapolis &^{ca} You are (upon sight hereof) to pay unto M^r Jacob Vangazell, Attorney of M^{rs} Herman Ex^t of the s^d Coll Herman dec^d The Sum of fifty two pounds, one shilling sterling ballance of accounts this day made up; for w^{ch} take his receipt & a good & Sufficient discharge (in behalfe of the Countrey) as full Satisfaction made to the Estate of the said Coll Herman for finishing the s^d State house and all manner of Surplussage Worke whatsoever done in or about the same; for w^{ch} this shall be sufficient warrant. Given under my hand at the Port of Annapolis this 16th day of Octob^r in the ninth year of the Reign of our Sovereign Lord King William the Third &^{ca} Annoq Domini 1697.

To Major Thomas Smithson

Treasurer of the Eastern Shore
These.

ffr: Nicholson

The s^d Warrant was delivered to Major Dorsey by him to be kept till the s^d M^r Vangazell give security for painting the State house.

Memorand^m there was stopt out of the money due to Coll. p. 556 Hermans Estate the sum of five pounds Ster^{ll} till the painting worke be done about the Statehouse, w^{ch} the s^d M^r Vangazell has engaged shall be done by the last of May next, or that he will give notice the beginning of March before, if he cannot do it. The Committees Returne about the State house is approved off and Major Hammond and Major Dorsey appointed Overseers of what worke is still to be done about the said house, mentioned in the said Returne, w^{ch} lyes Registered among the Records of the Provincia^l Office.

Munday Morning Octob^r the 18th 1697.

The Councill again sate and were present as before Ordered that the Sherriff of Dorchester County do upon sight hereof summons Christopher Nutter that all excuses sett a part he be & personally appear before his Ex^{ty} the Govern^r at the Port of Annapolis the last Tuesday in ffeb^{ry} next to answer to such questions as on his Maj^{ties} behalfe shall then & there be demanded off him.

Lib. H. D. Upon Representation & advice in Councill. Ordered that the Sherriffs who have any Publick Tobb^a to pay to the persons keeping publick fferreys within this Province forbear to pay them any Tobb^o due upon that score, untill March next, whereof they are to take due notice at their perill.

His Ex^{cy} and Councill together with the Justices & Grand Jury of the Provinciall Court and the other Gentlemen appointed to meet this day, mett according to adjournment and were called over.

Then was read the Return of the Comitte^e appointed for Indian affairs as follows, Viz^t

At a Comitte^e mett & held at the house of M^r Jn^o ffreeman wthin, the Port of Annapolis by Ord^r of his Ex^{cy} the Govern^r and his Maj^{ties} Hono^{ble} Councill and by advice of the Honoured the Iustices & Grand Jury of the Provincial Court, the Comitte^e for laying the Publick leavy and the Gentleman appointed to go upon the Indian treaty to the Emperor of Piscattoway in Virginia who were all mett together this 15th of Octob^r 1697 in Ord^r to consult about Indian affairs. The following Gentlemen being appointed of the said Comitte^e, Viz^t

S ^r Thom ^a Laurence Sec ^{ry}	} of his Maj ^{ties} Hono ^{ble} Councill
Col ^l George Robotham	
Thomas Tench Esq ^r	
Col ^l John Addison.	

Cap ^t Phillip Hoskins	} Justices of the Provinciall Court.
M ^r John Pollard	
M ^r ffran ^a Ienckins	
M ^r Will ^m Hattons	

M ^r Thom ^a Sprigg Iun ^r	} Gentlemen of the Grand Iury
M ^r John Watkins	
Cap ^t Henry Hardy	
M ^r Thomas Browne	
M ^r Thomas Iones	
M ^r Mich ^l Holland	
M ^r Thom ^a Taylor	
M ^r In ^o Hazlewood	

M^r John Hall one of the Comitte^e for laying the publick leavy.

Major Will ^m Barton	} Two of the Gentlemen th ^t went upon the Indian treaty.
M ^r Will ^m Hutchison	

M ^r Richard Cloud	} Persons appointed upon the Comitte ^e besides.
Major Will ^m Dent	

Hen^r Denton Clk.

The said Persons were severally by name called over and Lib. H. D. were found to be absent as follows Viz^t

Cap^t Hoskins,

Cap^t Hardy, M^r Holland & M^r Taylor.

They proceed to choose a President over the said Committee ^{p. 567} and do choose the Hono^{ble} S^r Thomas Laurence Barronth Sec^{ry} for their President.

Then they begin to debate upon & enquire into the severall matters and proposalls (this day offer'd) concerning the Indians, and after a deliberate consultation therein had, do Ord^r the following Entry Viz^t

This Committee having taken into serious consideration the severall Letters, depositions and proceedings this day produced and read, in relation to some murthers and other Insolencies and Violencies lately committed by Indians within this his Maj^{ties} Province of Maryland, and in particular reflecting upon his Ex^{ty} Letter last Iune sent to his Ex^{ty} the Govern^r of Virginia with the Acco^t of what the Assembly had then done and transacted in Ord^r to makeing a treaty with the Piscattoway Indians who for no cause or Reason had deserted this Province contrary to the Articles of Peace; this day Read, together wth the return of the proceedings of the Gentlemen that went upon that treaty. All w^{ch} being maturely debated & the proceedings of his Ex^{ty} & Assembly in th^t affair well approved off by this Committee; they, upon these fresh & further disturbances and Commotions since happening & suspected to be done by Indians; and considering how unfitt the present militia of the Countrey (as now constituted) is for the defence thereof, w^{ch} th^t it may be taken care off at the least charge to the people and without the necessity of calling an Assembly w^{ch} cannot suddenly be gott together without great charge. (besides the inconvenience of meeting this Winter time) do agree and conclude in the first place to consult of the best means & way of securing and strengthen^e the Garrison at Potomock & the ffrontiers thereof (they being so weak and Generally seated only with single hands) by a suitable & fitting supply of Men; and they are of Opinion th^t an addition of five men to the Rangers of the s^d Garrison, and eight men & two officers (to be Ordered as his Ex^{ty} thinks fitt for defence of the ffrontier Plantations there) may be sufficient for them, in those parts; as has been proposed; And do further agree that it will be highly necessary for the further strengthening of the ffrontiers on the Westernne shore to choose 200 men out of the six Counties on the Westernne shore aforesaid; such as can be best spared (allwaies provided that none of the said men be taken out of the ffrontier Plantations) who may be ready

Lib. H. D. upon any warning to be putt in a Warlike posture of defence, in manner following, Viz^t

That the Counties of S^t Maries, Charles and Prince Georges furnish out and raise 100 men; who may be ready upon all occasions to assist and strengthen the ffrontiers of Potomock. And that the Counties of Ann Arrundell, Calvert and Baltimore do in like manner furnish and raise 100 men more, who may be ready upon all occasions to assist and strengthen the ffrontiers of Baltimore County aforesaid:

That the said Men & horses be chosen, and approved off by the ffield officers of the said respective Counties.

p. 568 That a particular place be assigned in each County, whereof the said men may have notice to repair thither to Rendevouz, and th^t care be taken to have lodged in those places such a quantity of Publick Armes & ammunition (to be well fixt & fitted) as will well accoutre the said Men in all points. And to the end the s^d 200 men may be proportionably chosen according to the number of Taxables in each of the said Counties they do think that Ann Arrundell County may raise forty five of the said men, Calvert County forty Baltimore County fifteen, S^t Maryes County forty Charles County forty and Prince Georges County twenty. They do further agree that it will be likewise necessary that a like number of men be in like manner raised & chosen by the field Officers on the five Counties on the Eastern Shoare who may be ready upon any occasion or warning to strengthen the ffrontiers on that side the Bay. And th^t places be assigned also for their Rendevouz and the publick arms well fitted & fixt for that purpose and lodged together with a Suitable quantity of amunition in manner afore expressed. That Cæcill County raise thirty of the said men, Kent County Thirty, Talbott County fifty seaven, Dorchester County thirty and Somerset County fifty three. That the rest of the Militia put themselves in what posture of defence they can; and th^t Smiths be imprest & Overseers appointed in each County to see that all the Publick armes be well fitted & ffixt up. It being late in the night, this Co^mittee leaves all other matters & proposalls to be considered off to morrow morning Eight a Clock unto the House of the Hono^{ble} S^r Thom^s Laurence Sec^{ry}.

Octob^r 16th 1697.

The Co^mittee according to adjournment again mett and were called Over, and were absent, M^r Wattkins, M^r Holland, and M^r Taylor.

Then was read over what was done yesterday.

This Committee do think it necessary that there be one good Lib. H. D. and Substantial boat provided, to be kept towards the head of Potomock by some carefull person, as his Ex^{cy} shall think fitt, such a one as will carry a couple of horses over the River & may be Rowed & Sayled, and do desire that his Ex^{cy} will please to give Orders for the same.

That they think it to be necessary for his Maj^{ty} service & safety of this Countrey that his Ex^{cy} S^r Edmund Andros his Maj^{ty} Govern^r of Virginia be sent to and acquainted with the circumstances of the late Murther and other matters relating to the said Indian affairs; And forasmuch as the said late Murther hath been committed by Indians unknown to Vs. That his said Ex^{cy} be desired to cause inquiry to be made after the said Murtherers as it hath lately been done in this Government for the seizing & apprehending an Indian called Esq^r Tom that fledd to this Province from the hands of Iustice in Virginia.

And likewise that his said Ex^{cy} the Govern^r of Virginia be desired to give Orders to the Rangers upon the frontiers, for to settle themselves somewheare near the falls for the better intercourse to be had betwixt them & the Maryland Rangers for the mutuall defence of each Government.

And whereas it is reported the Indians are possessed with ill notions, that for any misdemeanors committed here they are not to be punisht for the same in Virgin^a, therefore do desire that his Ex^{cy} the Govern^r of Virginia will be pleased to make them sensible to the Contrary.

That his Ex^{cy} be likewise desired to prohibit the Inhabitants under under his Government from selling to the said Indians any more powder or Ball, and th^t the like shall be done here; they having carryed away wth them out of this Government & purchased since, a considerable quantity of both by their own saying. That by Information the s^d Indians formerly have not made use off and purchased a thousand weight of powder a year.

That his Ex^{cy} the Govern^r of Virginia be likewise desired p. 569 to appoint and send some Gentlemen to meet in Stafford County or elsewhere and call the Piscattoway Indians before them in Ord^r to discourse them in presence of some persons to be sent out of Maryland as well to informe the Indians the Resolution of that Government not to protect them, as also for the Gentlemen of Maryland to make proposalls to them.

This Committee do desire that his Ex^{cy} would be pleased to cause to be putt in Execution a former Order passed last assembly appointing severall persons to treat wth the Indians at the head of the head of the Bay and that some person may be appointed in the Roome of M^r Boothby who is sick; and

Lib. H. D. that the Gentlemen that go out of Cæcill County acquaint the Shevanor Indians how that his Ex^{cy} never rec^d those presents said to be sent by Coll Herman.

They do also think it convenient that two former Ordⁿ about laying out the Land for the Choptanck Indians may be renewed & comply'd with, w^{ch} (through sickness of Major Smithson the Surveyor) is represented not yet to be done. About laying out land for the Nanticoke Indians, this Committee do humbly leave it to further consideration.

This Com^{it}tee taking into consideration the great care and trouble th^t his Ex^{cy} our Govern^r has taken for promoting the Kings Hono^r and preservation of his Maj^{tes} Province of Maryland, do humbly return their heartiest Thanks and acknowledgments and do further request him to represent to the Right Hono^{ble} the Lords of the Councill for Trade and fforreign Plantations the present condition of this Province so dangerous and chargeable to the Inhabitants thereof upon these bloody attempts and further apprehended designs of the Indians, and that upon these considerations his Ex^{cy} & Councill will be pleased to request of their Lordships to move his Sacred Majesty to discharge them from further contributing towards the assistance of New Yorke; The charge & burthen of their own defence (upon these alarmes) lying so heavy upon them.

Lastly all this is humbly submitted to his Ex^{cy}s better Iudgment and that of the next Gen^l meeting of the Hono^{ble} his Maj^{tes} Councill & Iustices of the Provinciaall Court &^{ca}

Signed p Ord^r

Hen^r Denton Clk of the Com^{it}tee

The said returne is approved off; only it is observed that some of the proposalls are not fully answer'd; Viz^t That of desiring his Ex^{cy} to Order the Rangers to keep frequent correspondence wth the Maryland Rangers &^{ca} to agree upon the alarm; and th^t of giving a Latitude to the Gentlemen th^t go, for to discourse any other matters as they shall think fit for his Maj^{tes} Service &^{ca} All w^{ch} with some other matters being agreed upon; the severall particulars relating to that affair (concluded to be sent wth the Gentlemen appointed to go to Virginia) were by Ord^r drawn up in manner following. Viz^t

At a meeting & consultation held about Indian Affairs at the new State house, at the town and Port of Annapolis In his Maj^{tes} Province of Maryland the 15th day of Octob^r Anno^o 1697. By his Ex^{cy} Fran^s: Nicholson Esq^r Cap^t Gen^l and Govern^r in Chief of his Maj^{tes} s^d Province and the Gentlemen of his Maj^{tes} Hono^{ble} Councill, together wth the Honord the

Iustices and Grand Iury of the Provinciall Court, the Com- Lib. H. D.
mittee for laying the Publick leavy and the Gentlemen that P. 57^o
went upon the Indian treaty, being called to their assistance;
where after having deliberately & maturely weighed and
considered the severall matters relating to that concern; they
(among other things) agree and resolve upon the following
heads of discourse to be offer'd and laid before his Ex^{cy} S^r
Edmund Andros His Maj^{ty} Gover^r of Virginia Viz^t

1st That they think it to be necessary for his Maj^{ty} service
and safety of his Countrey that his Ex^{cy} S^r Edmund Andros
his Maj^{ty} Govern^r of Virginia be sent to and acquainted with
the Circumstances of the last Murther and other mattres
relating to the Indian affairs; And forasmuch as the said late
murther hath been committed by Indians (unknown to us)
That his said Ex^{cy} be desired to cause inquiry to be made
after the s^d Murtherers as it hath lately been done in this
Government for the seizing and apprehending an Indian
called Esq^r Tom, that fledd to this Province from the hands
of Iustice in Virginia.

2^{ndly} That whereas it is reported the Indians are possessed
wth ill notions th^t for any misdemeanors comitted here they are
not to be punisht for the same in Virginia Therefore do
desire that his Ex^{cy} the Govern^r of Virgin^a will be pleased
to make them sensible to the contrary.

3^{dly} That his said Ex^{cy} be likewise desired to prohibit the
Inhabitants under his Government from selling to the said
Indians any more powder or ball, and the like shall be done
here; they having carryed away with th^m out of this Govern-
ment, & purchased since, a considerable quantity of both, by
their own saying.

That by information the said Indians formerly have not
made use off & purchased a thousand weight of powder a
year.

4^{thly} That his Ex^{cy} the Govern^r of Virginia be likewise
desired to appoint and send some Gentlemen to meet in
Stafford County or elsewhere and call the Piscattoway Indians
before them, in Ord^r to discourse them in presence of some
persons to be sent out of Maryland as well to inform the
Indians the resolution of that Government not to protect
them, as also for the Gentlemen of Maryland to make pro-
posalls to th^m

5^{thly} That the Govern^r of Virginia be desired to send some
persons up to the Piscattoway ffort in Virginia to see whether
they have any strange Indians among them, and what num-
ber there may be off them, & whether they have dispersed
themselves about a hunting, according to their usuall cus-
tome; being apprehensive th^t the said Indians living so remote

Lib. H. D. from the Inhabitants may have ffrench Jesuits or Priests or other French men among them.

6^{thly} That if his s^d Ex^{ncy} the Govern^r does consent to send some Gentlemen to meet in Stafford County or elsewhere to discourse the Piscattoway Indians, that then the Hono^{ble} Coll John Courts, Cap^t Phillip Hoskins and M^r Will^m Hatton or the Major part of them go thither & be joyn'd to the Hono^{ble} Thom^s Tench Esq^r and Major Will^m Dent, w^{ch} two last mention'd Gentlemen are the persons appointed to go with those Instructions to his Ex^{ncy} the Govern^r of Virginia.

7^{thly} It is agreed that the Gentlemen that go to Virginia acquaint the Indians at their meeting with them, that there being a Murther comitted in Maryland, and taking them to be our friends, they may be desired (if possible) to find out the murtherers, for w^{ch} they shall have a reward of fifty Match coats, if they detect & bring in the said Murtherers.

That they also be acquainted to make haste to returne for Maryland and that if they should be wanting of Corne, this Province will furnish them for their pay, and that they may resettle Piscattoway or Rock Creek w^{ch} they think fitt.

p. 571 8^{thly} That the best way to convince this Government th^t they are not the persons th^t did the said Murther, will be by their speedy returne, and that they be told they may fully depend to have every thing was promised them comply'd with.

8^{thly} That if his Ex^{ncy} S^r Edmund Andros do not consent to send some Gentlemen as is requested that then the Messengers returne without any further proceeding.

9^{thly} That his said Ex^{ncy} be desired to settle the Rangers somewhere convenient towards the head of Potomock, and that he would be pleased to give instructions to the Comander in Chief of Stafford County and to his Rangers to hold a frequent correspondence wth the Hono^{ble} Coll In^o Addison and the Rangers on this side, They having already Instructions to do the like from hence thither.

10th That his s^d Ex^{ncy} be desired that the Rangers may agree upon the Alarm, and that they may not keep hollowing & firing of Gunns in the night.

Lastly it is thought convenient that the Gentlemen appointed to go to his Ex^{ncy} S^r Edmund Andros in Virginia be generally left at liberty to discourse any other matters to his s^d Ex^{ncy} or Indians as they shall Iudge requisite for his Maj^{ties} service and good of this Countrey.

Then was the fowing Letter writt in Order to be delivered to his s^d Ex^{ncy} S^r Edmund Andros his Maj^{ties} Govern^r of Virginia, Viz^t

Maryland Port of Annapolis Octob^r 16th 1697. Lib. H. D.

S^r

I write to y^{or} Ex^{ncy} of the 24th of June and inclosed is a Copy thereof. This is by the Hono^{ble} Thomas Tench Esq^r one of his Maj^{ties} Councill & Major Will^m Dent who are to wait upon your Ex^{ncy} from his Maj^{ties} Hono^{ble} Councill here and Govern^r of Virgin^a

Your humble Servant
ffra: Nicholson.

Produced and read an Act appointing Rangers for the defence of this Province wherein is a clause empowering his Ex^{ncy} the Govern^r to leavy the Sum of Sixty thousand pounds of Tobacco upon occasion during the intervalls of Assembly &^{ca} His Ex^{ncy} proposes to the Gentlemen present whether or no they think it advisable that the said Sum should be leavyed this year, upon the ffoot the act directs; th^t if in case there should be occasion thereof before an Assembly it may lay ready for the said uses, and if no such occasion, that then it may lay in the Sheriffs hands for the assembly to dispose thereof at their meeting as they think fitt; especially considering this is likely to be a good & plentiful year for tobb^{as} and the leavy but small, being not above 43^h of tobb^o p poll.

Whereupon after some consultation therein had it is unanimously agreed & thought convenient that the said Sum should be now leavyed by the Com^{itee} for laying the Publick leavy for The end & purpose afores^d and is Ordered p. 57^a accordingly.

Then produced an Act for raising a supply towards the defraying the publick charge of the Province.

His Ex^{ncy} is pleased to Say that he is very desirous & willing all Publick dues should be discharged this year; and that if the Com^{itee} of acco^{ts} shall find it of absolute necessity that there be Tobb^o wanting for payment of any arrears, he will (upon their representation of the same to him) give his consent & Ord^r to the Treasurers (who are directed to receive the severall sumes of tobb^o from the Publick Officers) to lend so much Tobb^o as shall be recd towards defraying such arrears, signifying that he has already given Ordⁿ to the Sheriffs for collecting the s^d Publick tobacco where it will lay ready &^{ca} which his Ex^{ncy} hopes will discharge all matters and that if the same should not be wanting, that then it will lay ready against an Assembly for their disposall. Whereupon it is generally believed that it will be very necessary and convenient th^t the said Tobacco be raised in Order to the paying of Arrears and defraying such publick charges as the s^d Com^{itee} shall find of absolute necessity to be now com-

Lib. H. D. plyed with; who are Order'd to make inspection thereinto & represent the same to his Ex^{cy} and Councill accordingly.

About the Nanticoke Indians. His Ex^{cy} is pleased to aske his Hono^r Coll Hutchins, whether or no he can inform anything concerning the s^d Indian being troublesome or anywaies disorderly, who says he is afraid they have some ill Intentions for that there are severall strange Indians amongst them more then used to be, and that their behaviour seems to be more sturdy than formerly & do forbear comeing among the inhabitants.

Ordered that according to a proposall this day agreed to, the severall persons appointed by Act of Assembly for deciding difference betwixt the English & Indians go once or twice a week & visit the said Indians & Inquire what strange Indians are among them, and in what posture they are, who are to be paid out of the Publick for their trouble therein; it being thought for his Majesties Service. And if anything extraordinary happens; that they imediately send his Ex^{cy} notice and give the Militia Officers an account thereof that they may prepare themselves in a readiness.

Vpon Representation, Ordered that the Comissⁿ of the respective County Courts and the Persons appointed for deciding differences betwixt the English & Indians take special care (during these disturbances & Commotions) to see the severall acts of Assembly of this Province, concerning selling Syder to the Indians and divulging false news be putt in strict execution & duly observed.

His Ex^{cy} is pleased to putt the question & know the opinion of the severall Gentlemen present, how & out of what Counties the fifteen men shall be raised that are to strengthen the Garrison and ffrontiers at Potomock. Whereupon it is agreed that the Same be raised proportionably out of Ann Arrundell, Calvert, S^t Maries, and Charles Counties, the Colonells whereof are to take care to impress them, but if Volunteers can be afterwards procured that then they be taken.

That Richard Owen of Ann Arrundell County be Cap^t over the s^d Men and Gyles Hill of S^t Maries County the Leiutenant.

Recommended th^t the Hono^{ble} Coll In^o Addison who lives convenient to the head of Potomock and has been already very serviceable in those parts, be appointed and have power to go & Vissit the Garrison & said men once a fortnight, for w^{ch} he may be satisfyed out of the publick:

P. 573 That if the said men cannot find themselves wth necessary Provisions so that they need not quitt their posts in looking after it; it is proposed to Coll Addison whether he will fur-

nish them to be allowed for the same out of the Publick, The Lib. H. D.
w^{ch} he sayes he is willing to undertake as also the other proposal for vissiting the Garrison &^{ca}

Ordered that no person upon any pretence whatsoever do presume to sell any Syder or other strong liquor to any of the men at the Garrison or the other persons appointed to Range at the Eastern branch without the especial leave of the Hono^{ble} Coll John: Addison.

Coll Addison & M^r Hutchins, owners of the land where the Garrison is kept being asked whether the Rangers may have leave to plant Corn in any of those Indian fields & Clear the hill there neer the ffort. Do make Answer that they may ffreely do the same wthout any disturbance.

Ordered that a ffort be built upon the top of the s^d Hill near the other ffort and th^t the said Hill be cleared by the Souldiers at the Garrison; and that the Hono^{ble} Coll In^o Addison take care to gett a house built there, at the cheapest rate he can; but that he do not actually build the same till he see whether the Indians return thither or not; yet however that he gett the timber ready for the Stockadoes and see th^t the hill be cleared; and th^t he purchase a couple of small Gunns (which are in the possession of Cap^t George Harris) at the cheapest rate he can, also provide two or three good Canooes, besides a good substantial boat, reported by the Com^{it}tee to be necessary to be gott; for all w^{ch} he is to be paid out of the Publick leavy of this Province.

That if in case the Indians do not returne in the spring of the year, according to their promise; or that in case a Warr should sooner break out; It is agreed & left to the discretion of his Ex^{ty} the Govern^r to encourage the Souldiers raised for that service, wth such a Reward for taking an Indian Prisoner or bringing in an Indians head, as his Ex^{ty} shall think fitt.

The Gentlemen called upon the foregoing consultation being discharged and dismissed. His Ex^{ty} together wth his Maj^{ty} Honob^{le} Council do repair to the Councill Chamber, where the severall matters and things in relation to the Indians & raising men &^{ca} being again weighed & considered the following Order thereon issued Viz^t

Ordered that (pursuant to advice of the Honord the Iustices and Grand Iury of the Provincial Court, together wth the other Gentlemen called to be consulted about Indian affairs) a former Order about laying out the Land for the Choptanck Indians be renewed and complied wth, w^{ch} (through sickness of Major Smithson, the Surveyor) is represented not yet to be done, hereby appointing Major Thomas Ennalls of Dorchester County to Runn the said Land out & returne Certificate thereof accordingly unto this Board with all convenient speed.

Lib. H. D. Ordered that (pursuant to the advice of the Iustices & Grand Iury of the Provincial Court, the Comitte for laying the publick leavy and the Gentlemen that went upon the Indian treaty) a former Ord^r passed last Assembly appointing severall persons to treat wth the Indians at the head of the Bay, be putt in execution by the s^d p^rsons or the Major part of them, and that they take such p^rson or persons to be their Interpreter or Interpreters (by them to be sworne accordingly) as they shall think fitt. And it is hereby further Ordered that the Gentlemen that go out of Cæcill County acquaint the Shevanor Indians how that his Ex^{ty} never rec^d those presents said to be sent by Coll^o Herman.

Vpon Representation & during this noise of Indians, Ordered that no Masters of any Shipps or Vessells trading to this Province presume to export or carry away any of the Inhabitants thereof wthout particular leave and lycense first had & obtained for the same.

Ordered that the thirteen men & two Officers this day agreed upon to be raised for the strengthening the Garrison & ffrontiers upon Potomock be forthwith raised accordingly and sent up to be appointed their Stations by the Hono^{ble} Coll. John Addison of Prince Georges County; the w^{ch} said men are to be raised as follows viz^t Four out of Annarrundⁿ County, three out of Calvert, three out of S^t Maries, and three out of Charles Counties. And that Richard Owen of Ann arrundell County be Captain to Comānd part of the said men, and Giles Hill of S^t Maries County Lieuten^t to Comānd another part thereof. hereby directing and Ordering that the Colonels of the said Counties take care to gett the said men raised wth all imaginable expedition, to be imprest for the said service wth their horses; but if Volunteers can be procured afterwards that then they be taken; and if wanting of armes & horses of their own that they be furnisht & equipt out of the Countrey armes & have horses also imprest, wth a suitable quantity of powder & ball; hereby signifying th^t the said men will be allowed & paid out of the Publick for such their service perform'd for the Countrey.

Ordered that (pursuant to the advice of the Honord the Justices and Grand Iury of the Provincial Court together wth the other Gentlemen called to be consulted about Indian affairs) the Colonel of each respective County do imediately upon sight hereof raise & choose out of the Militia under their respective Comānds (or any other persons not inlisted) the following men, in Order to the strengthening the ffrontiers of this Province in manner following; Viz^t That Ann arrundell County do raise forty five men, Calvert County forty, Prince Georges County twenty, Baltimore County fifteen, S^t

Maries County forty, and Charles County forty, who are to be ready upon any occasion, or warning to strengthen the frontiers and Garrisons on the Western Shore; to be Ordered as his Ex^{acy} shall think fitt & see cause. Lib. H. D.

That Cæcill County raise thirty men, Kent County thirty, Talbot County fifty seaven, Dorchester County thirty, and Somersett County fifty three men, who are to be ready upon any occasion or warning to strengthen the frontiers on th^t side the Bay, provided allwaies th^t none of the said men, be taken out of the ffrontier Plantations, and th^t the said men & horses be chosen and approved off by the field Officers of each respective County, and th^t care be taken that a Sufficient quantity of publick arms and Amunition be lodged with the severall Officers that are to command those men, whither (upon notice) they are to repair upon any occasion that shall happen as aforesaid. And further that the rest of the Militia putt themselves in the best posture of defence they can; and that Smiths be forthwith imprest & Overseers appointed in each County to see that all the publick Arms are well fitted & fixt up. And it is hereby further Ordered that any Soldier of horse, foot or Dragoon of the Militia that is inlisted that makes complaint his armes want fixing and that the Smiths refuse fixing thereof; the officers to whome such complaint is made are hereby Order'd & impower'd to compell such Smiths to fix them well; and where it happens that a County is destitute of a Smith or other person quallified for performance of such worke, that then the Officers in like maner compell any Smith or Smiths living in the next adjacent Counties to fix them, either by carrying such Smith or Smiths wth their tooles, where the said armes are, or by carrying the armes to them as shall be thought most convenient. And that care be taken th^t all the publick arm's be fixed imediatly; and that the Militia Officers take an account of what publick arms belong to each County and th^t they together with the Com^{iss} of the said Counties, compute how much the fixing those publick arms will amount to; and th^t the s^d Com^{iss} leavy the s^d tobb^o in Novem^{br} next without faile, that the same may lay ready for discharge of fixing the s^d Arm's; this year being likely to be a plentiful year for Tobacco. And it is hereby lastly Ordered that such Smith or Smiths as shall refuse to yield obedience to this Ord^r the Sherriffs upon notice do immediately take into their Custody such Smith or Smiths and him or them under safe and secure conduct send to appear before his Ex^{acy} at the Port of Annapolis to answer such their contempt whereof the said Sherriffs are not to faile at their perill. P. 575

Ordered that the Hono^{ble} Coll In^o Addison of Prince

Lib. H. D. Georges County be constituted & empower'd, and he is hereby accordingly appointed, Constituted & empowered to go as often as he shall see necessary to vissit the Garrison, and the other men appointed to Range the Eastern branch, at Potomock to see th' they discharge their duty & for to give them such necessary Orders as he shall think requisite for his Maj^{ties} service. And further that if the Men to be raised & sent thither cannot find themselves wth Provisions, so th' they need not be necessitated to depart from their severall posts, he furnish them therewith in moderation, the w^{ch} is to be deducted out of their wages & allowed for in the publick leavy of this Province; as also is to be allowed for his trouble & pains in Vissitting the s^d men & Garrison.

Octob^r the 19th 1697.

Ordered that the Roads on each side the Eastern branch of Potomock be well cleared from Plantation to Plantation and from the said Plantations to the Garrison.

Ordered that the Hono^{ble} Coll In^o Addison discourse Coll Ninian Beale whether or no he be willing to continue in the Comission he already has for raising men upon any disturbance of Indians &^{ca}

October the 20th 1697.

Ordered that in case any of the men to be raised for the service of this Province, or their officers should dye or remove out of the Countrey or be for any misdemeanor dismissed, that then the Colonells of the Counties take care p. 576 immediately to fill up their vacant places wth other men; and th' the Hono^{ble} Coll John Addison in like manner take care to see th' the thirteen men and two Officers appointed for strengthening the Garrison and frontiers of Potomock be allwaies compleat that number by putting in other persons upon any such accident happening.

Ordered that the forty five men to be raised in Ann Arrundell County and the fifteen men to be raised in Baltimore County be divided into two Troops; Viz^t Thirty in each Troop who are to have for their officers to Comand them, a Captain a Lieuten^t a Coronett & Quarter master, and that those of Baltimore County be joyned to the neerest of those men th' are to be raised in Ann Arrundel County aforesaid to make up that Troop. That the florty men to be raised in S^t Maries County be an intire Troop by it selfe as also the forty to be raised in Calvert County. The forty in Charles County to be Commanded with the like proportion of Officers That the

Twenty men to be raised in Prince Georges County be also Lib. H. D.
intire by themselves; to be Commanded by a Lieuten^t a
Coronett & a Quarter master.

That the thirty men to be raised in Cæcil County and
Thirty in Kent be each of them a Troop by themselves. That
the fifty seaven men to be raised in Talbott County be di-
vided into two severall troops likewise. That the Thirty
men to be raised in Dorchester County be also an intire
Troop by it selfe & that the fifty three men to be raised in
Somerset County be divided into two severall Troops All
w^{ch} Troops are each of them to be Comanded by a Cap^t a
Lieuten^t and a Coronett and a Quarter master. That each
Troop be divided into three squadrons Viz^t The Captain and
the Quarter master (who is to attend the Captain) the
Lieuten^t and the Cornetts squadrons, w^{ch} Officers are to keep
the Arms & Ammunition for each Squadron of men, who are
not to make use of any of the said ammunition but upon
service.

That the field Officers (after the said Officers and men are
raised) do send a List of the names of the said Officers and
Men, and of the quantity of Arms and Ammunition lodged
wth each Officer; and th^t care be taken the s^d men be fre-
quently exercised and train'd.

It being considered that the severall Ordⁿ given for raising
men towards the strengthening the ffrontiers of this his Maj^{ties}
Province of Maryl^d cannot well be prepared so th^t the
Colonells of the Counties may receive them to putt the same
in Execution, under a week or tenn dayes time, whereby the
Countrey may be putt in some posture of defence.

Ordered therefore that the gentlemen appointed to go to
his Ex^{ty} S^r Edmund Andros in Virginia set not forward their
Journey before munday next come sennight.

Vpon the Petition of Nehemth Covington of Somerset
County therein humbly praying a Comission for being Inter-
preter &^{ca} betwixt the English & Indians.

Ordered th^t the s^d Covington be constituted & Empower'd
and he is hereby accordingly appointed, constituted & Em-
powered to be Gen^{tl} Interpreter for this Government upon
any treaty to be made wth the Indians on the Eastern Shore,
and that no other person presume to take upon him th^t
Office besides; hereby empowering the Hono^{ble} Coll Charles
Hutchins of Dorchester County to administer an oath to the
s^d Nehemiah Covington faithfully to discharge his duty
therein, whensoever he shall by any authority be thereunto
called or required.

Vpon Representation, Ordered that Henry Moor of Charles
County be constituted and empower'd and he is hereby

Lib. H. D. accordingly authorised constituted & empower'd to be Gener^l Interpreter for this Government upon any Treaty to be made with the Indians on the Western Shore, and th^t no other p^rson presume to take upon him th^t office besides; hereby Empowering the Hono^{ble} Coll In^o Courts to administer
P. 577 an Oath to the s^d Moore, faithfully to discharge his duty therein, whensoever he is by any Authority thereunto called or required.

Ordered that M^r Richard Cloud of S^t Maries County Maj^r James Smallwood of Charles County and Major Will^m Barton of Prince Georges County do (upon sight hereof) use their utmost endeavour for the seizing and apprehending a certain Indian called Mountague, Represented to be an Enemy to this Government and that (if taken) they or any of them under safe & secure conduct send him to be and appear before his Ex^{cy} at the Port of Annapolis, to be dealt withall according to Law.

October the 21st 1697.

Memorandum that the Armes w^{ch} the men to be raised are to have, be all of a sort, if possible, or at least one half of them, and the other halfe of another sort.

Ordered th^t what Arms & Amunition belong to Charles County, be equally proportion'd wth those belonging to Prince Georges County, and the like to be done in S^t Maryes County, so that the Arms & Amunition of those three Counties be equally divided amongst them.

Ordered that no person whatsoever presume to keep or detain in their Custody or possession any publick arms belonging to the Countrey, which have been purchased & provided either since his Majes^{ties} happy Government here, or in the time of the Lord Baltimore; but that they deliver such arms up to the next Militia officer, under penalty of being prosecuted upon the Statute of King Charles the Second for felony, and that all Officers having any Publick arms or ammunition in their Custody to give an account thereof to the Colonel of the County, who is to returne a Generall List as well of those accounts he receives, as of what arms & ammunition he has in his own custody, unto his Ex^{cy} the Govern^r by the first of the next Provinc^l Court or sooner if possible hereby Com^{manding} the Sherriffs to publish this in all publick places wthin their respective Counties and to give the Militia & field officers Copies hereof for their information

October the 15th 1697.

Lib. H. D.

Produced by his Ex^{cy} to the Board Copy of an authority by him given to M^r Thomas Addison for seizing any Syder or other Liquo^r imported into this Province at the head of Potomock and not makeing due report and entry according to Act of Assembly &^{ca}

Information being given that severall quantities of Liquor are Generally brought over from Virgin^a into those parts & sold to the Rangers at the Garrison, and to the Inhabitants of the upper parts thereabouts.

Ordered that Major Will^m Dent Navall Officer of that district give a Deputation to the s^d M^r Thom^s Addison to officiate as his Deputy in those parts, and th^t the Hono^{ble} Coll In^o Addison administer to him the Oath of Trade & Navigation, who is hereby accordingly Empowered to administer such Oath.

October the 19th 1697.

p. 578

The Councill Sate and were present.

His Ex ^{cy} francis Nicholson Esq ^r Cap ^t Gen ^l & ^{ca}	
Coll: Henry Jowles	Coll: Charls: Hutchins
Coll: George Robotham	Coll: Iohn Addison
Coll: Nich ^o Greenberry	Thom ^s Brook Esq ^r
Thom ^s Tench Esq ^r	Iames ffrisbey Esq ^r

The Hono^{ble} S^r Thom^s Laurence Baron^o Sec^{ry} being sick sends and desires to be excused.

The Justices & Lawyers of the Provinciaall Court being summoned to appear at this Board, came accordingly.

His Excellency is pleased to tell them that he has observed in the Courts of this Province that they commonly proceed to Judge upon matters, according to conscience & equity and not according to the Rules of Law; and that as the King has a Court of Equity here, the Courts of Law ought not to take upon them matters properly tryable in Chancery.

He is also please to tell the Chife Iustice that in giving his charge to the Iuries, he should direct them to find the matter of fact according to evidence and not (as usually they do) to consider the poverty of the Person, by thinking the party will be ruin'd if he looses the cause; and th^t such a direction be given th^t where there is matter of Law, they should then bring in a special verdict, and leave it to the Court.

Produced again & read the Report of the Kings Lawyers, in the case of James Cranford Attorney at Law, about dismissing him from his practice &^{ca}

Lib. H. D. Whereupon his Ex^{cy} is pleased to tell them that (as according to the s^d report) he does take and hold it to be the Kings Prerogative to approve what persons shall practice the Law. And that as the Law is an Hono^{ble} profession, he would accordingly endeavour to make it so in this Province, and not suffer every Ignorant Person (upon a motion) to be presently a Practitioner, who are perhaps not capable to draw a Declaration; therefore does recommend that they would take care to admitt of none to plead in th^t Court but what were by some Examination, found capable and approved off; and that he would see to give some such Orders to the severall County Courts to the same effect.

His Ex^{cy} is also pleased to Recommend th^t a Gown be provided for the Chief Iustice to wear and that the severall Lawyers belonging to the said Court do provide themselves Gowns to plead in.

He is lastly pleased to observe to them, that he finds the severall Sherriffs of the Province do frequently come to the Provincial Courts, whereby they neglect the Duty of their Office and charge wherewith, they are intrusted: does therefore require them to consult & consider whether they can legally depart their County, during their Shrivaltury or invest any other person wth power sufficient to Act in their absence; and th^t they returne their opinion, thereon to this Board accordingly with all convenient speed.

The said Gentlemen withdraw & repair to the Court house. Peter Jenings Esq^r his Maj^{ty} Collect^r of Patuxent district & George Muschamp Esq^r his Maj^{ty} Collect^r of Potomock district being sent for, came.

His Ex^{cy} is pleased to acquaint them how that he had considered of severall instructions, whereby the Collect^r & Navall Officers of this his May^{ty} Province might guide and regulate themselves, as to entering and clearing of Shippes &^{ca} w^{ch} were accordingly dictated & writt forth in their presence, and are as follows Viz^t

p. 579 Instructions for the Collectors and Navall Officers.

Viz^t That if a Shipp or Vessell comes in here and brings in any of the Ennumerated Commodities, then they are to go to the Collector first according to the Act of the 25th of King Charles the Second.

Certificate to be lodged with the Collect^r Viz^t fform of a Certificate that gives Bond in the Plantations and payes the duties by the Act of the 25th year of King Charles the second.

His Ex^{cy} is pleased to observe to the s^d Collect^r the Act of Parliament for collecting the duty of the penny p pound saying that it ought to be collected according to the directions of the said Act.

When they have rec^d such a Certificate they are to send an Lib. H. D.
abstract thereof to the Navall Officer, except they will send
the Certificate, w^{ch} the Navall Officer is to returne to them.

They are to acquaint the Master or Command^r to go
immediately to the Navall Officer, who is to take care that all
the Laws of the Kingdom of England and of this his Majest^{ies}
Province of Maryland are complied wth

The Hono^{ble} Thom^s Tench Esq^r being sent for to go the
Committee for laying the Publick leavy, takes leave & goes

The Collector is to inquire of the Master or Comander
whither he intends (God willing) from this Province, and if
he loads according to the 25th of King Charles the Second,
then he is to clear first wth the Navall Officer and last with his
Majest^{ies} Collector but if he does not Load according to that Act
he is to clear wth his Majest^{ies} Collect^r and last with the Navall
Officer.

If a Shipp or Vessell arive from England, Wales or
Berwick, they are to enter first wth the Navall Officer who is
to inform them th^t they are immediately to go to his Majest^{ies}
Collect^r If they bring in a Certificate & Cocquetts they are
strictly to examine them according to the Laws of England &
of this his Majest^{ies} Province & certyfy the same to his Majest^{ies}
Collect^r If the Coll^r have no objection against the Certificate
he is to remitt it back to the Navall Officer.

The Cocquetts are to be lodged wth his Majest^{ies} Coll^r because
his Ex^{cy} supposes th^t by the Instructions of the R^u Hono^{ble}
the Comiss^{rs} of his Majest^{ies} Customes they are to go on board
every Shipp and Vessell after their arrivall, and likewise
while they stay in the Countrey and after they have clear'd,
because the Comiss^{rs} have allowed th^t Salleryes to find them
Boat & hands and in lieu of the halfe penny p^u

The Navall Officer is to inquire of the Master or Com-
mand^r if he Intends to Returne from the place from whence
he came w^{ch} if he does, he is to be acquainted that he must
clear wth his Majest^{ies} Collect^r but if he will load upon the 25th
of King Charles the Second, then he is to clear with the
Navall Officer & the Collect^r last.

That the Navall Officer be sure to certifye to the Collec^r
that the Shippes or Vessells he first enters have done their
duty; and that they are not to admit any Master to enter or
clear wth them till they have Certificate from his Majest^{ies}
Collect^r

Ordered th^t Major John Thompson Navall Officer of Cecill
County have nothing to do wth entering or clearing any
Shippes or Vessells coming into that County but th^t they be p. 580
entered & cleared by the Officers at Patuxent Yet notwith-
standing that he Collect the whole duty of the Tenn p Cent

Lib. H. D. upon European Goods transported to Pensilvania over Land, and of all Goods brought from thence that way; w^{ch} business he is solely to mind.

Ordered that Henry Denton Clerk of his Majesties Hon^{ble} Council, do receive from the severall Collect^{rs} & Navall Officers the severall Bonds, Certificates & Cocquetts to be lodged in his Office, at the State house and that he sort all the said Bonds & Certificates and put up the Certificate of discharge in the Bond and such Bond as has Certificate he is to endorse it that a Certificate is filed with him in discharge thereof and so subscribe his name.

That every Coll^r and Navall Officers papers be filed by themselves & sorted by the years, and that from hence forward they do every eighteen months (Pursuant to the Act of Parliament of the third of King William, intituled an Act for preventing frauds and Regulating abuses in the Plantation Trade) returne all Navigation Bonds, Certificates & Cocquetts, as also a General List of Shipping together wth a Catalogue of the s^d Certificates &^{ca} and deliver them up before his Ex^{cy} and Council upon Oath.

That the said Henry Denton have settled upon him a proper fee for every search or Certificate he shall give out.

That a good strong Chest wth a Lock & key be gott to putt the s^d papers in.

October the 22nd 1697.

ffees settled by his Ex^{cy} the Govern^r & Council upon Henry Denton, Officer appointed for keeping all Navigation Bonds, Certificates & Cocquets &^{ca} Viz^t for every year backward except the first year 6^d or 6 pounds of tob^o for Coppy of any matter Certified from under the hand of the s^d Denton 8^d or 8 p^{ds} of tob^o p Side.

Came M^r Francis Ienckins, ffather in law to Major Rob^t King late Navall Officer of Pocomoke district dec^d and made Oath upon the Holy Evangelist that he has deliver'd up all Books, Bonds, Certificates & other Navall papers that were in the possession of the s^d Major King, at the time of his death, which he knows off anywaies materiall and does promise and engage that if any comes to his hands afterwards, he will deliver the same up to M^r John West present Navall officer there.

Came George Layfield Esq^r late Collector of his Maj^{ties} Customs wthin the district of Pocomoke and made Oath upon the Holy Evangelist that he hath delivered up unto David Kennedy Esq^r the present Collect^r there, all Bonds, Certificates, Cocquetts & other papers Relating to th^t Office that he

knows off at present. But that if (upon further search) any more should come to his hands, he would deliver the same up Likewise. Lib. H. D.

October the 20th 1697.

Came M^r Will^m Bladen Dep^y Collect^r of the Port of Annapolis and M^r Will^m Alldern Dep^y Collect^r of the Port of Williamstadt and had the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacie severally administered to them in Council; as also the Oath of trade & Navigation & subscribed to the Test, in presence of Peter Jenings Esq^r his Maj^{ties} Collect^r of Patuxent district, from whom they rec^d their Deputations.

The s^d M^r Alldern makes Oath to an Acco^t of the penny p pound collected within the s^d Port, during his officiating under George Plater Esq^r former Collector of that district.

George Plator Esq^r his Maj^{ties} Attorney Gen^l and Receiver p. 581 for Patuxent district being sent for & asked about Iudgments obtain'd for his Maj^{ty} upon forfeited Navigation Bonds—whether (if the same were put in execution) it would be a means to advance any considerable sum of money to his Majesty—who sayes, that he does believe, that, if the strictest methods imaginable should be used, it would not advance his Maj^{ty} 500 pounds Sterll ready money.

October the 21th 1697.

George Muschamp Esq^r his Maj^{ties} Receiver of Potomock & Pocomoke districts, being sent for, is asked whether or no he thinks that if in case Executions had issued upon those Iudgments obtain'd for his Majesty upon the severall forfeited Navigation Bonds within this Province, it would have raised his Majesty 500^l Sterll ready money, who does say he believes not, for that he sees the Countrey is necessitous rather then otherwise.

Ordered that the same questions be putt to the Iustices of the Provinciall Court for their Opinion to be given therein the w^{ch} being accordingly drawn forth in writing and laid before them. Came back indorsed as follows Viz^t In obedience to yo^r Ex^{cy}s Ord^r within We the Iustices of his Majesties Provinciall Court are of the same Opinion of the Gentlemen within mention'd.

Rob ^t Smith	}	Thomas Staley	}
Iohn Hammond		ffran ^s Ienckins	
Richard Hill		Iohn Pollard	
Phill: Hoskins		Iohn Thompson	
Will ^m Hatton			

Lib. H. D.

October the 23d 1697.

Ordered that the Collectors within this his Majesties Province of Maryland do upon Entring any Shippes coming from Europe, enquire of the Masters if any of the Goods imported be designed for Pensilvania to be transported over land, and (if any such) that they give the party or parties an Authentick Copy of the Coquets of such Goods to be signed by the Collect' and Navall Officer in Ord' to their carrying the Same to Major John Thompson Navall Officer of Cæcill County, who is hereby appointed to Collect the duty of Tenn p Cent thereon accruing according to Law.

Octob^r the 24th 1697.

Ordered that the Respective Collectors and Navall Officers within the Province take care forthwith to procure Copyes of the severall Acts & Ordinances of Assembly of this Province concerning Trade & Navigation, to be kept in their offices, in Order to shew the same to all Masters and Merchants of Shippes at their entry &^{ca} pursuant to former Order and that they also procure Copyes of all Proclamations and Orders of Councill anywaies relating to trade as aforesaid, to the end & purpose aforesaid.

October the 25th 1697.

Came George Layfield Esq^r late Collector of Pocomoke district & made Oath upon the holy Evangelist to two lists of Shipping & an Acco^t of the full ballance of the penny p pound by him Collected, due to this day, amounting to the Sum of 3840^{ls} of tobb^o w^{ch} makes sixteen pounds Sterling for which he then passed note to his Ex^{acy}

p. 582 An account of the 1^s 6^d p hh^d Exhibitted by M^r In^o West Navall Officer of Pocomoke district, M^r Francis Jenckins (in behalfe of Major Robert King late Navall Officer of the said district dec^d) and George Plater Esq^r his Majes^{ties} Receiver of Patuxent district; all accounted for in October Anno 1697. Viz^t

	ls.	s.	d.
M ^r John Wests aco ^t of the 1 ^s p hh ^d on 601			
hh ^{ds} of Tobbo	30:	01:	00
Additionall 3 ^d on the s ^d tobb ^o due to his Ex ^{acy}			
the Govern ^r	07:	10:	03
To ditto given the Church	07:	10:	03
To 6 ^d p hh ^d on 19hh ^{ds} brought out of Virginia	00:	09:	06
	45:	11:	00

Sworn to 12th of October 1697.

Lib. H. D.

M ^r ffancis Ienckins (in behalfe of Major	ls.	s.	d.
Rob ^t King dec ^d) his acco ^t of the 1 ^s p	12:	17:	06
hh ^{ds} on 257 hh ^{ds} & a halfe			
Additional 3 ^d thereon due to his Ex ^{ncy}	03:	04:	04½
To ditto given to the Church.	03:	04:	04½
	19:	06:	03

Exhibitted 15th of October 1697.

George Plater Esq ^r his acco ^t of the 1 ^s p hh ^d	45:	16:	00
on 916 hh ^{ds} of tobb ^o			
Additional 3 ^d thereon due to his Ex ^{ncy}	11:	09:	00
To ditto given to the Church	11:	09:	00
To 6 ^d p hh ^d on 71 hh ^{ds} of Tobb ^o brought	01:	15:	06
out of Virginia			
	70:	09:	06

Exhibited day of October 1697.

Quarter part out of M ^r John Wests acco ^t	07:	10:	03
appropriated for arms & ^{ca} is			
To ditto out of M ^r Jenckins ^{ca} acc ^a	03:	04:	04½
To ditto out of M ^r Platers acco ^t	11:	09:	00
	22:	03:	07½
Due to the Church out of the said three	22:	03:	07½
Sums and for w ^{ch} his Ex ^{ncy} is accountable			
the s ^d sum of			
As also 3 ^d p hh ^{ds} on 90 hh ^{ds} brought out of	01:	02:	06
Virginia			
	23:	06:	01½

Vpon representation of the Honob^{le} James ffrisby Esq^r how that M^r Matthias Vanderhayden and M^r Nicholas Bayard two of his Majesties Justices for Cæcill County are Aliens and not naturalized by any Act of Parliament therefore unqualified for that station,

Ordered that a new Comission of the Peace issue for that County wth a blanck to be left for two names to be filled up as the said Esq^r ffrisbey shall think fitt.

Ordered that the Sh^{ff} of Baltimore County do (upon sight hereof) inquire after one Bartlet, who is represented to be a person Lunatick and of no settled perswasion; but hath been signified by one of his Maj^{ties} Honob^{le} Councill, that he hath taken upon him preaching, and is accordingly admitted publickly to preach in one of the Parish Churches of the said

Lib. H. D. County. And that when the s^d Sherriff has found out his place of residence he go to the next Iustice of the peace where the said Bartlett lives and inform himself about the truth of the premises, and take unto his Custody as well the Chief Vestryman of the Parish where he is admitted, as the
p. 583 said Bartlett & accordingly send them to the Port of Annapolis to answer the premises before his Ex^{ncy} the Govern^r in Order to be dealt withall according to Law.

October the 19th 1697.

Came M^r Charles Carroll and presented the following Letter by him rec^d from M^r Rob^t Mason high Sherriff of S^t Maryes County humbly desireing the result of this Board, as to the contents thereof; The s^d Let^r was by Order read as follows Viz^t

M^r Charles Carroll

S^r I understand you have heard of the accident at Mattapanny of the Mans being kill'd there. The horse I seiz'd for the King but broake loose from my Plantation, and hear th^t by y^{or} Order he is seiz'd since for my Lord; where the property lyes I know not; but I request you to be so kind as to go along wth M^r Muschamp to his Ex^{ncy} and discourse it with him, so that I may be clear from blame: pray S^r think of this Business, for if any fault at my doore, you are sensible what a noise it will make.

My most humble Service to yo^r selfe and Lady, I am S^r
Your very humble Servant.

October 9th 1697.

Rob^t Mason.

Ordered that the above mentioned horse be kept where he is untill his Maj^{ties} pleasure be further known, as to such matters.

Came Cap^t Iohn Oldton, and Cap^t Richard Brightwell Comand^{rs} of the Rangers upon Potomock and Baltimore and presented the two following accounts of their Ranging Viz^t

Whereas it has pleased the Govern^r & Councill to demand of us Rangers in Baltimore County to give an account how our Road lyes from our Garrison to Deer Creek & Patapsco, w^{ch} according to our best knowledge is thus, ffrom our Garrison to the North side of Dear Creek 40 Miles thus to Gunpowder main falls 12 miles, thence to the Little falls eight miles thence to a branch of winters Runn eight miles thence to the North side of Deer Creek 12 miles, thence to the neerest Inhabitants sixteen miles.

ffrom our Garrison to Potapsco 20 miles, thus to Guins Lib. H. D.
falls four miles, thence to a branch of the same falls four
miles, thence to Potapsco main falls twelve miles, thence to
the Inhabitants fourteen miles.

This is a description of our Road, w^{ch} we were ordered to
make and marke, which we have done.

We have Ranged & made discovery of all the Good Lands
back of our Road and found a great many Indian Cabins &
Tents where we marked Trees and sett up our names. We
have observed to see the outside Plantations since so Ordered.

Pursuant to yo^r Ex^{cy}s Command for Returning an account
of our Ranging; I do humbly certifie that according to your
Ex^{cy}s late Order for Ranging to the ffrontiers I have kept my
men Ranging ever since to the ffrontier Plantations, and up
and down the Eastern Branch towards the head of Patuxent
to the ffrontiers there, and so back again, but have not mett
with any Indians in all our Range; nor any thing worth
noticeing. And as to our out Ranger before the s^d Order we
kept constantly Ranging from our Garrison to the Sugar
Lands w^{ch} we compute to be about forty miles, being gener-
ally Stony Rocky land, near the River, all the way thither, and
barrens backwards; but the Sugar Lands extraordinary rich p. 584
and continue so for severall miles backwards ffrom the Sugar
Lands we range away towards the Eastward to Potapsco, w^{ch}
we compute to be about 50 Miles, and so from thence make
strait away to the Garrison, w^{ch} we compute to be betwixt
Sixty and Seaventy miles, in w^{ch} Range is generally good
Land; but we have not met nor seen any Indians these twelve
months except two back Indians that came to the ffoort; hard
before M^r Stodarts Negro boye was Murthered, who came
Civilly into the ffort & were suffer'd to depart without any
disturbance as for making any other discoveries, I know of
none to give an acco^t off; All w^{ch} is humbly certified this 12th
day of Octob^r An^o 1697.

by your Ex^{cy}s obedient & faithfull
humble Servant
Richard Brightwell

The Hono^{ble} Coll Nicholas Greenberry upon his motion
that his Lady is sick was permitted to go home.

October the 20th 1697.

The Councill again sate and were present as before; The
Honorable S^r Thom^s Laurence Baron^{te} Sec^{ry} and Coll Nicholas
Greenberry, being only absent.

His Ex^{cy} is pleased to propose to the Gentlemⁿ of his

Lib. H. D. Maj^{ties} Hono^{ble} Councill, that if in case his Ex^{cy} the Govern^r of New Yorke or my Lord Bellamont should come in & send about assistance for men or money from this Government what answer should be given thereto; being willing to prevent calling a Councill together in the winter time; It being so difficult travelling and passing over the Bay. To w^{ch} they returne for answer; that considering the great difficulty some of them have found in getting to this place at this time, the which will be much more hazardous and dangerous to them in the depth of Winter, do therefore wholly leave it to his Ex^{cy} Prudence to return such answer upon any such Message from New Yorke, as in his wisdom & Prudence he shall think fitt; being assured he will do nothing but what is for his Maj^{ties} Service & good of the Countrey; and that withall do declare themselves to be of opinion, that this Province (through means of the severall disturbances and commotions by Indians and more dayly threaten'd) is altogether incapable of Affording any assistance to that Government seeing that for strengthening the ffrontiers thereof they have been forced to raise an Additional number of Rangers now in pay besides two hundred men on each side the Bay, to be in a readiness, which tis not known how soon they may be made use off.

Ordered that his Maj^{ties} Lawyers prepare a warrant for the seizing & apprehending Amos Nicholls of Cœcill County, being informed against for severall notorious crimes and misdemeanors and that they leave a blanck for some person to be imployed about the taking of him to be inserted by the Hono^{ble} James ffrisbey Esq^r and if taken, that he be carryed before the s^d James ffrisbey Esq^r In order that he may give Bond to appear before his Ex^{cy} in Councill the next time they shall be appointed to meet together to answer the premises.

A Warrant being accordingly prepared was read & approved off and signed by his Ex^{cy} and Ordered to pass the Broad Seale of the Province, w^{ch} follows in these words Viz^t

Maryland ss. fforasmuch as complaint hath been made
p. 585 unto me ffrancis Nicholson Esq^r Cap^t Gen^{ll} and Govern^r in Chief of his Maj^{ties} s^d Province and Territory &^{ca} and to the Hono^{ble} his Maj^{ties} Privy Councill of the same by severall of the Inhabitants of Cœcill County that one Amos Nicholls of Cœcill County aforesaid is a very vagrant and wandering person, a very evill doer and is guilty of a great many hainous and notorious crimes and Offences, as well against his Maj^{ties} Governm^t of this his Maj^{ties} Province, as also to the great hurt & damage of his Maj^{ties} Subjects and against his Maj^{ties} peace &^{ca}

These are therefore in his Maj^{ties} name to Authorize you

and also require you forthwith upon receipt hereof to take Lib. H. D. the s^d Amos Nicholls, if he may be found in any place within this Province & him safe keep so that you have his boddy before the Hono^{ble} Iam^s ffrisby Esq^r wth all convenient speed, there to enter into Bond wth good Sureties for his personall appearance before me and the Hono^{ble} his Maj^{ties} Privy Councill at their next sitting att Annapolis there, to answer to such matters as on his Maj^{ties} behalfe shall be objected against him; hereof faile not at your perill, & this shall be your sufficient warrant; Given at the Town & Port of Annapolis under the Broad Seale of the Province; the 2nd day of October in the ninth year of the Reign of our Sovereign Lord King William the third &^{ca} Annoq Domini 1697.

ffr: Nicholson.

Came M^r John LLewellyn formerly Clerk of the Comissaries Office in the time of the late Coll Ne^a Blackiston Comiss^{ry} Gen^{ll} dec^d & delivered up unto Kenelm Chiseldyn Esq^r present Comiss^{ry} a certain Record Book & other papers belonging to that office before his Ex^{acy} in Councill and made Oath upon the Holy Evangelist that he has formerly and now deliver'd up all Record Bookes, papers and writings, w^{ch} at any time he had in his Custody belonging to the s^d Office, according to the best of his remembrance and knowledge.

Ordered that Mada^m Elizabth Rymer Adm^r of Coll Ne^a Blakiston cause diligent search to be made among her papers to see, whether any papers belonging to the Comissaries Office can be found among them, w^{ch} are to be delivered up uppon Oath, unto Ken^{lm} Cheseldyn Esq^r present Comiss^{ry}, before M^r Rich^d Cloud one of his Maj^{ties} Iustices of S^t Maries County Court; who is hereby accordingly impower'd to Admin^r such oath Viz^t That those are all the papers relating to th^t affair that can be found at present; and th^t if any other papers of th^t nature do afterwards come to hand, she will deliver the same up accordingly.

M^r James Cranford, together wth M^r Comiss^{ry} & his Clerk being summoned to answer to a certain complaint of M^r George Linghan, in relation to his Administration upon M^r Abington's Estate; came accordingly.

The said Cranford is asked to give some reason why he has not yet deliver'd up the Bookes, papers & debts belonging to the s^d Estate unto the said Linghan the present Adm^r who for answer says that he finds a mistake of an Article of Sixty thousand pounds of tobb^o and that he endeavours to find out the mistake first.

His Ex^{acy} ord^{rs} the Comiss^{ry} not to deliver up M^r Cranfords p. 586 Security; and further demands of the said Cranford, why he

Lib. H. D. did not (during his having the Administration) make it his business to get the debts in. Who sayes that he never had anything of the said Estate to sue for, but the Mortgages; and that he is ready to deliver up what Books & papers he has relating to that Estate unto M^r Comiss^y or the present Adm^r whensoever they shall require the same.

His Ex^{cy} is pleased to acquaint the Comiss^y that the Office he now has in the New State house where his Records lye is appointed & Settled by Act of Assembly. Therefore does in his Majes^{ties} name direct & Order him to accept of no Bookes, Records or papers whatsoever belonging to his Office, but what are actually deliver'd up in his Office aforementioned.

His Ex^{cy} is likewise pleased to observe to the s^d M^r Cranford, what devastation & waste he has brought upon the s^d Estate, first by intangling of it in Law and Secondly by keeping the Bookes, Debts & papers all this while in his hands that the same could not be gott in, whereby severall of the Debtors by this time (its probable) are either dead or become insolvent, and the Plantations all ruin'd by his Sinister & selfe interested practises, who at first was only intended as Adm^r in trust for another, w^{ch} to his eternall Shame he had basely converted to his own ends, insomuch that the same is become a publick talke among the Merchants upon the Exchange of London to the Scandall of the whole Countrey and Government; but withall signified to him that he must not think to Scape clear of the matter so, but must expect to be called to a strict and severe account about all these matters, and that his Ex^{cy} was but just now a beginning with him.

October the 21st 1697.

The Councill again sate and were present.

His Ex ^{cy} ffranc ^{is} Nicholson Esq ^r Cap ^t Gen ^l & ^{ca}	
Coll: Henry Jowles	} Coll ^o Charles Hutchins Coll ^o John Addison Thomas Brookes Esq ^r Iames ffrisbey Esq ^r
Coll: George Robotham	
Thom ^s Tench Esq ^r	

It being thought convenient that the Hono^{ble} Coll John Addison should repair to his County in Order to putting in Execution the severall Orders passed for strengthening the Garrison & ffrontiers in those parts. Copy of the s^d Orders were delivered to him at the Board, who thereupon tooke leave and went.

It being represented that there were three Causes depending before his Ex^{cy} and Councill (constituted as a Court for hearing appeals and Writts of Error &^{ca}) wherein the Hono^{ble}

Thomas Tench Esq^r is concern'd. Ordered that the same be Lib. H. D.
tryed this night, and th^t the Attorneys on both sides concern'd have notice thereof accordingly.

S^r Thomas Laurence came and is added.

Produced & read an Oath drawn up by his Maj^{ties} Lawyers to be taken by his Ex^{cy} the Govern^r and his Maj^{ties} Hono^{ble} Councill as Iudges of his Maj^{ties} most Hono^{ble} Court of Appeals and writts of Error. Whereupon his Ex^{cy} is pleased p. 587 to aske if they have anything to object against it, who say they have nothing to object but think the same very proper

Ordered that the Hono^{ble} Coll Henry Iowles Keeper of the Broad Seale of this his Maj^{ties} Province Administer the said Oath to his Ex^{cy} and the severall Members of his Maj^{ties} Hono^{ble} Councill present, and were sworn accordingly his Ex^{cy} ffranc^s Nicholson Esq^r Cap^t Gen^l &^{ca} S^r Thomas Tench Esq^r Coll^t Charles Hutchins Thomas Brooke Esq^r James ffrisbey Esq^r

The s^d Oath follows in these words Viz^t

The Oath of a Iudge of his Majesties most hono^{ble} Court of Appeals & writts of Error, according to an Act of Assembly composed of his Maj^{ties} Govern^r & hono^{ble} Councill of Maryland.

You do Swear that as Iudge of his Maj^{ties} most Hono^{ble} Court of Appeals and writts of Error in Maryland in all Articles, causes and things that shall or may come before you in Iudgment you shall do equall Right to the poore as well as to the Rich to the best of your knowledge, skill & Iudgment, according to the Laws, & constitution of England and this Province. All fines and Amerciaments that shall happen to be made and all fforfietures w^{ch} shall fall before you, you shall cause to be entred without any concealment and Certify the same to his Majesties Receivers of this Province you shall not debarr or hinder the prosecution of Iustice nor take any guift, ffee or Reward for the delaying of Iudgment; but shall behave and demeane your selfe justly and truly to the best of your understanding, so long as you shall continue in this Office or untill you shall be Lawfully discharged therefrom.

So help you God.

Ordered that notice be given to the respective Counties that it was his Ex^{cy}'s intent to have seen the severall Troops & Companies this fall; but the Court comeing on & this disturbance of Indians happening, he could not gett time, but intends (God willing) this Winter or in the Spring at farthest

Lib. H. D. to view the severall Troops & Companies, Visit the Churches & inspect & see all the publick Roads; if no impediment happens. This coming as a caution, that all the Laws respecting those matters may be duly complied with.

His Ex^{cy} is pleased to say that this proving a very plentiful year both for Corn & Tobb^o he design'd to have sett a part a day of publick thanksgiving for the same; but not hearing any thing out of England to know how things are there, he can't tell whether it may be so proper. But if please God it should so fall out th' there is good news from thence, he does designe (God willing) to sett a day apart.

His Ex^{cy} representing to the Board how th' he understands M^r Rob^t Mason High Sherriff of S^t Maries County p. 588 holds private correspondence with M^r John Cood in Virginia, notwithstanding his Excellencies Proclamation to the contrary; is pleased to demand of the Kings Lawyers (being present) what course is fitt to be taken, and whether by law he may not be taken into custody and his papers seiz'd, who do say th' it may be done by an Act of State, but not by any Law in matters of such a nature; whereupon the following Order issued Viz^t

By his Ex^{cy} the Govern^r & Council Octob^r 21st 1697.

Vpon Information Recd that M^r Rob^t Mason high Sherriff of S^t Maries County holds private & Secret correspondence with M^r John Cood & hath in his custody severall papers and debts of his to Receive; notwithstanding he is conscious of the severall proceedings issued against the s^d Cood at the Suite of his Majesty both for Criminall & other matters, for the avoiding whereof the s^d Cood removed himselfe from this his Majesties Province into his Majesties Colony of Virginia. Ordered thereupon that Geo: Muschamp Esq^r Collect^r & Receiver of his Maj^{ties} Customes within the district of Potomock &^{ca} do upon sight hereof immediately go to the said M^r Masons house and there search & examine into all the Bookes, Writings, Letter & other papers remaining in the Custody of the s^d M^r Mason; and that such thereof as he finds belonging to or sent & writt from the said Cood to him, he the said Esq^r Muschamp take the same into his custody and close seale them up in a bagg and secure them; and that he send an account of his proceedings herein, unto his Ex^{cy} at the Port of Annapolis, with all convenient speed; but keep the papers by him until further Order.

Signed p Order Hen: Dento: Cl Concil

Produced and read a Letter sent from M^r Charles Bass Clerk of Cæcill County Court unto M^r Christop^r Gregory

Clerk of the Provincial Court, dated 24th of August last past, Lib. H. D. signifying that Coll Will^m Pearce Sherriff of that County has utterly refused to give Bond for his place according to the late Act of Assembly. And it being referred to the Kings Lawyers whether he ought to be continued in his Office, without giving such Bond, Who being of opinion he ought not.

Ordered thereupon that the Comissⁿ of Cœcill County aforesaid do upon sight hereof demand of him (at their next County Court to be held in November) Bond and security according to the directions of the s^d Act. And that if in case he refuse to give such security there be a blanck Commission wth the other Instruments sent up, ready for the Hono^{ble} James ffrisbey Esq^r to putt in some other person, to be Sherriff, whom he thinks fitt.

October the 22nd 1697.

The Councill again sate and were present

His Ex^{cy} ffran^e Nicholson Esq^r Captⁿ Gen^l &^{ca}

S^r Thomas Laurence Baron^u Sec^y

Coll George Robotham

Thomas Tench Esq^r

Coll Charles Hutchins

Thomas Brooke Esq^r

James ffrisbey Esq^r

Produced and read a certain representation from the Iustices & Grand Iury of the Provincial Court as follows, Viz^t

We of the Iury, having advice from all parts of this Province of his Ex^{cy}'s late Proclamation prohibiting any Provisions being exported to any place from this Province without calling at New England or Newfound Land &^{ca} do humbly represent that altho we believe his Ex^{cy} sett forth the same p. 589 upon just Grounds and for his Maj^{ties} service, yet that the same if continued in force will redound to the great prejudice of his Maj^{ties} good Subjects of this Province & to the aparent decay of Trade thereof in these particulars.

1st It will discourage and prevent those that are inclin'd to prossecute a Trade to Barbados or the Islands because Provisions is the only Comodity they can carry from hence, and unless they can carry them to the place design'd it will be in vain to attempt the Trade.

2 It will discourage those Traders that would come here to purchase Provisions for necessary & usefull manufactures who generally carry them from hence to the Islands for Sale,

Lib. H. D. being the most proper place ; for it will be in vain for them to come here to purchase for an Island Trade if they may not carry it there where they have it ; but they will rather take up in Virginia where we understand there is no such prohibition or Injunction, and so this Province by his Ex^{ncy} Zeale for his Majesties service loose the Trade thereof to his Maj^{tes} as well as his Subjects damage.

Lastly we are inform'd that Newfound Land is reduced to his Maj^{tes} obedience, and thereby the occasion of that Proclamation, extinct, ffor w^{ch} reason we present it to yo^r Hono^r desiring you to joine with us in presenting the same to his Ex^{ncy} the Govern^r desiring that the s^d Proclamation may be disannulled & sett aside.

John Salter fforeman.

Rob ^t Smith	} Thomas Staley ffrancis Ienkins John Pollard John Thompson
John Hammond	
Richard Hill	
Phillip Hoskins	
Will ^m Hatton	

Ordered thereon (considering advice is lately rec^d by severall L^{rs} from New England how that th^t Province (God be thanked) has had a plentifull harvest this year and that Newfound Land has rece^d supplies of Provision from New Yorke and parts) that Proclamation issue according to the request in the s^d Representation set forth, But that it be exprest therein how that (for his Maj^{tes} service) his Ex^{ncy} is pleased still to continue that part w^{ch} gives Encouragement to persons that shall load & carry provisions to Newfoundland, provided they give Bond for performance thereof.

October the 23^d 1697.

A Proclamation being accordingly prepared, was produced Read and approved off, and was signed and Sealed by his Ex^{ncy} at the Board & passed the Broad Seale of the Province the Teno^r whereof follows in these words Viz^t

By his Ex^{ncy} the Cap^t Gen^{ll} &^{ca} A Proclamation.

Maryland ss.

Whereas by an Ord^r of my selfe & Councill bearing date the 2nd day of Iuly last past, it was thought fitt for his Majesties service and the severall reasons therein assign'd strictly to Command that no Shippes or other Vessells trading within this his Maj^{tes} Province of Maryland for any Provisions of wheat, Corn, Beefe, Porke or other Provisions whatsoever,

p. 590

should be cleared to go, without giving Sufficient security to go with the same to Newfoundland (for Supply of his Maj^{ties} Land and Sea forces there under the Com^{and} of the R^h Hono^{ble} Coll John Gibson) or to the R^h Hono^{ble} Will^m Stoughton Esq^r Lieuten^t Govern^r and Comand^r in Chiefe of his Maj^{ties} Province of the Massachusetts Bay in New England in Order to be sent thither &^{ca} And forasmuch as it hath been represented unto me in Councill from the Honord his Maj^{ties} Justices and the Grand Inquest for the body of this Province, how th^t the s^d Ord^r proves very detrimentall to the Island Trade managed here, and for that (in the Neighbouring Colony of Virginia) there is no such prohibition, have for the same & other reasons requested that the s^d Ord^r may be disannulled and sett aside. I do, by advice of his Maj^{ties} hono^{ble} Council and upon the representation & request afores^d made as also upon the Satisfaction of severall advices lately rec^d from New England how that that Province has (God be thanked) had a Plentifull harvest this year, and th^t Newfoundland has rec^d supplies of Provisson from New Yorke & those parts) think fitt to disannull & sett a side the s^d Order so farr as the same restraines the clearing such Shipps and Vessells, and the same is hereby disannulled and sett a side accordingly. But for the Encouragement of all Masters and Owners of such Shipps & Vessells belonging to this Province or any other of his Majesties Governments as will undertake to purchase & load with Provisions here, giving security to go with the same to the end & purpose afores^d I do (for his Maj^{ties} service) hereby promise to pay all duties and Impositions payable upon Exportation of Beeffe & Porke and give them my own dues and will also pay what fees are due to the Collectors & Navall Officers for entiring & clearing thereof who are hereby Ordered not to take any of those Impositions or fees but send the accounts of the same unto me, as by the s^d former Order was directed. Lastly I do hereby Command the severall Sheriffs of the Province to publish this in all Churches Chapells & other publick places of meeting within their respective Counties and to give the Collectors and Navall Officers (where resident in their Balywick) immediate & speedy notice of the same; Given at the Town & Port of Annapolis under the Broad Seal of the Province this 22nd day of October in the ninth year of the Reign of our Sovereign Lord William the third &^{ca} Annoq Domⁱ 1697

ffr: Nicholson

God save the King.

On the back of the said Proclamation was writt as follows
Viz^t This is to signify that it is agreed & Order'd th^t the Pro-

Lib. H. D. vinctial Court of this Province be adjourned until the last Tuesday in febr^y next, at w^{ch} Court as well matters by Iuries as Appeals and Writts of Error &^{ca} will be tryed and that the Govern^r & Councill for hearing Appeals & writts of Error will sitt the third day after the end of the said Court.
ffr: Nicholson

Presented by the Clerk of this Board the following Petition w^{ch} was by Ord^r Read Viz^t

To his Ex^{cy} ffrancis Nicholson Esq^r Cap^t Gen^l & Govern^r in Chief of his Maj^{ties} Province of Maryland, and to his Maj^{ties} hono^{ble} Councill now sitting.

The Humble Petition of Henry Denton Clk.

Sheweth

p. 591 That he severall times addressed himselfe to the last Assembly for bettering his Sallary as Clerk to his Maj^{ties} Hono^{ble} Councill, being allowed only by the House the sum of 12000^{lbs} of Tob^o (the usual Sallary settled on the former Clerks in that Station) w^{ch} they totally Rejected notwithstanding yo^r Petitioner made them sensible of the vast differences betwixt the business of that time & now; besides the great charge of constantly supplying the Office wth Pen, Inke, wax & paper &^{ca} and hiring Clerks.

That since Iune last it hath cost yo^r Petitioner near nine pounds Sterll ready money in hiring Clerkes to expedite & his Maj^{ties} & the Countreys business besides finding them accommodations whilst they writt, as p receipts hereunto annext may appear.

That at this present he employes an Assistant Clerke besides a Deputy and is out of pocquett a great deale for furnishing paper &^{ca} That by the Order of this Hono^{ble} Board he is to receive, take charge and look after all manner of Papers Relating to Navall affairs wthin this his Maj^{ties} Province, and finds business every way increasing upon him; Therefore humbly prayes yo^r Ex^{cy} & Hono^r tender consideration of the p^rmisses, and th^t you would be pleased to setle the Provincial Amerciaments (being in your Ex^{cy} and Honours guift) upon yo^r Petitioner towards furnishing his Office with all necessaries and paying assistant Clerks, w^{ch} he is forced to hire for the ready and quick dispatch, of business (besides keeping a Deputy) by w^{ch} means yo^r Petitioner will be encouraged more chearfully and diligently to attend the duty of his Office, and enabled to defray the great charge thereby accruing And yo^r Petitioner as in duty bound

Shall ever pray &^{ca}

Ordered that George Plater Esq^r his Maj^{ties} Receiver of Lib. H. D. Patuxent district do pay (out of the fines) unto Henry Denton the Petitioner the sum of nine pounds Sterll by him disbursed for hireing Clerks and towards furnishing papers &^{ca} But as to the Amerciaments that the same remain as they are, untill his Maj^{ties} pleasure shall be known therein.

Produced & read the following Petition Viz^t

To his Ex^{ty} ffrancis Nicholson Esq^r Cap^t Gen^l & Govern^r in Chief of his Maj^{ties} Province of Maryland.

The Humble Petition of Clement Parke.

Sheweth.

That whereas he was imployed by M^r Henry Denton, the first of July last to seize upon a Sloop of one Matthew Clemison & a Boat of M^r Ashmans and another of one Sam^l Scott, in w^{ch} expedition I was Ten dayes M^r Denton promised me I should be paid this Court, and Ordered me to be here as an evidence, and I went to him, and he recommended me to M^r Plater, for payments and he told me I must first have yo^r Ex^{ty}s Ord^r w^{ch} I humbly begg.

S^r I am
Your Ex^{ty}s humble Servant.
to Command
Clement Parke.

Ordered that George Plater Esq^r his Maj^{ties} Receiver of Patuxent district do answer and pay unto the Petitioner & all other Persons imployed in and about the seizing & prosse- p. 592
cuting the within mentioned Boat & Sloop, what charges they shall legally bring in for the same; as also for the seizing 200 Gall^s of Rum in the Possession of M^r Roger Newman. All w^{ch} charge is to be paid out of the Condemnation & forfeiture of all or any of the Goods imported in the said Boat & Sloop &^{ca} And if anything remains after such charge deducted; the same is to be appropriated to the use the Act of the Assembly directs.

The Hono^{ble} Thomas Tench Esq^r and Major Will^m Dent persons appointed to go to his Ex^{ty} S^r Edmund Andros in Virginia upon the Indian affair humbly move for an Order upon the Treasurer to advance them some money to defray the expence of their Negotiation, whereupon it is Ordered by this Board that M^r Robert Mason Treasurer for the Western Shore do advance them the Sum of thirty pounds Sterll towards the defraying the said expence.

The Hono^{ble} Thomas Brook Esq^r upon his motion has leave to Retire home.

Lib. H. D John Salter of Talbott County Innholder signifying to this Board that he was prosecuted by an order hence issued for non performance of a Certain Contract with Talbott County Iustices about the Court house &^{ca} sayes he is willing to performe all Covenants whatsoever by him entred into, and therefore prays a stop may be putt to the said Action; to which was answer'd, that if he would enter into a Bond for performance thereof and Refund all such sums of Tobacco as he Recd from them for Alterations made in the s^d Court house &^{ca} his case should be considered. And a Bond being accordingly prepared, Read & approved off; the s^d Salter is asked if he is willing to sign the s^d Bond, which if he did, that then a Stop should be put to the s^d Action commenced against him, and withall is told, that there shall no present advantage be taken against him upon the said Bond, but that the same shall lye still till an Assembly to whome his Ex^{cy} intends to referr the matter for their opinion; And it is hereby Ordered that no future Repairs be made upon the said house, unless the s^d Salter do it at his own charge; ffor that it is not approved off by this Board that his Maj^{ty} Court should be held under the same Roofe, where an Ordinary is kept and so many tipling Roomes Round it.

The s^d Salter does say that he is willing to signe the said Bond upon the proviso aforementioned; which was accordingly done & lodged with the Clerk of this Board.

October the 23^d 1697.

The Councill again Sate and were present

His Ex^{cy} ffran^s Nicholson Esq^r Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Sec^{ry}
Coll^o Henry Iowles
Coll^o George Robotham
Thomas Tench Esq^r
Coll^o Charles Hutchins

Came Madam Elizabeth Blakiston al^s Rymer Adm^x of Coll Ne^{ah} Blakiston Dec^d and made motion by M^r Phillip Clark her Attorney how th^t having lately obtain'd Iudgment against the Hono^{ble} Thomas Tench Esq^r Adm^r of Govern^r Copley
p. 593 dec^d for a considerable Sum of money & th^t understanding the s^d Esq^r Tench was going out of the Province; therefore desired leave might be granted to take such legal process out against him, before his departure, according to the directions of the law in such case. To w^{ch} was answered that the s^d Esq^r Tench being appointed by his Ex^{cy} and his Maj^{ty} Hono^{ble} Councill, by and with the approbation of the Iustices

and Grand Iury of the Provinciaall Court the Committee for Lib. H. D. laying the leavy and the Gentlemen that went upon the Indian treaty (who are most of them now gone out of Town) for to go to his Ex^{cy} S^r Edmund Andros in Virginia, upon his Maj^{ty} and the Countreys service; therefore in point of state cannot be altered; but if they have anything in matter of Law to urge, it will be referred to his Maj^{ty} Lawyers to be consulted. And it is withall signified that before anything of this happening the s^d Esq^r Tench made all the Interest and used all the Arguments he could to be excused from undertaking the s^d Negotiation, w^{ch} was not admitted off; therefore being so solemnly appointed upon an affair of so high nature, the motion cannot be granted; but that if upon his return they have anything to offer, it will be considered.

It being generally reported that there is a Spring or two of water in S^t Maryes County arising out of some Land belonging to Cap^t In^o Dent of Charles County, commonly known and called by the name of the Coole springs; w^{ch} water is said to be lately discovered to have a very medicinal and healing quality in it & proves very effectual to the curing all sorts of distempers and diseases of body and th^t abundance of impotent, lame and diseased people do dayly flock thither for cure & receive great benefitt thereby.

Ordered that strict inquiry be made by the s^d Cap^t Dent & others living neer that place, what persons have by virtue of the s^d water been cured, and of what manner of distempers, and in what nature; and that care be taken to have them summoned to make Oath thereto before some Magistrate, the w^{ch} is to be Recorded in the County Court, where such Oath is taken, and an Authentick Copy thereof transmitted unto his Ex^{cy} wth all convenient speed.

The following Address was presented from the Com^{it}tee appointed for laying the Publick leavy by the hands of the Hono^{ble} Thomas Tench Esq^r and M^r W^m Bladen Clerk of the s^d Com^{it}tee Viz^t

Port of Annapolis October 22nd 1697.

By the Com^{it}tee for apportioning the publick Leavy this present 1697.

May it please your Excellency.

fforasmuch as we find there is 20053^l of Tobb^o due to severall persons, who by the last Sessions of Assembly were sent upon the Indian treaty; and since this Com^{it}tee have not tobacco left wherewithall to discharge the same. We humbly request yo^r Ex^{cy} will be favourably pleased to borrow so

Lib. H. D. much upon the Publick faith out of what Tob^o is in the hands
 p. 594 of the Treasurer of the Western Shore accruing by the Act
 laying a Mulct upon Officers, as will defray the charge of that
 expedition. And whereas this Comitte have thought fitt to
 allow severall Sums of money to sundry persons imployed
 about the Court house amounting in the whole to the Sum of
 48^{lbs} 02^s 10d We likewise desire yo^r Ex^{ty} will upon the same
 faith borrow so much money of the publick Treasurers as will
 discharge the same. And we also desire yo^r Ex^{ty} will upon
 the Publick faith, borrow four thousand pounds of tobacco of
 the Treasurer of the Eastern Shore to pay the like sum we
 find due to M^r Henry Denton.

Also fifty four thousand four hundred & Seaventy seven
 pounds of tobacco of both the Treasurers to be equally lodged
 in every Sherriffs hands to answer upon occasion, for the s^d
 Sum lodged in Som'sett, Talbott and Cæcill Counties &^{ca}

Signed p Ord^r W Bladen Clk of the Comitte.

Ordered that the money and Tobb^o Represented to be due
 to severall persons for going upon the Indian treaty & to
 Workemen, Labourers &^{ca} (as p List hereunto annex may
 appear) be paid proportionably by the Treasurers of the
 Eastern & Western Shore. And the tobacco out of that due
 by Act of Assembly from Publick Officers. And that there be
 borrowed of the said Treasurers the Sum of 54777^{lbs} of tob^o
 more on the same fund to be paid to such persons as ought
 to receive the Sixty thousand pounds of tobacco levyable in
 the intervalls of Assemblies &^{ca} And now thought needful
 & Ordered to be Leveyed; and that the said sixty thousand
 pounds of tobacco so Ordered to be Leavyed be collected
 and lodged in every Sherriffs hands of the Government; or
 otherwise as the said Comitte shall think fitt, till an Assembly.
 And to the end due compliance may be made accordingly;
 the said Treasurers are forwith to take care that they gett the
 said Tobb^o due from Publick Officers, speedily collected to
 lay ready. His Ex^{ty} not knowing how soon he shall have
 occasion to draw upon them for the last mentioned sume
 And th^t where any Officer does refuse or delay payment they
 cause speedy process to be issued as the Law directs in that
 Case.

Severall Vice Admiralty Commissions, pursuant to Order
 being prepared, Constituting a Judge Register and Marshall
 of his Maj^{ties} Court of Vice Admiralty on each side the Bay,
 were signed by his Ex^{ty} at the Board, and passed the Broad
 Seal of the Province.

Octob^r 23^d 1697.

Lib. H. D.

The following Ord^r issued Viz^t

By his Ex^{cy} the Govern^r & Council Octob^r 23^d 1697.

Ordered that the Sherriff of Calvert County do (upon sight hereof) summons M^r Jn^o Griggs, L^t Coll In^o Bigger Maj^r Walter Smith, M^r ffrans Hutchins, M^r Sam^{ll} Houldsworth, M^r ffran^s ffreeman, M^r Elisha Hall & M^r Thomas Smith Iustices of that County Court, to be & appear before his Ex^{cy} in Council, the last Tuesday in ffeb^{ry} next to answer their contempt to a certain Ord^r of his Ex^{cy} in relation to M^r Iam^s Cranford, bearing date the 11th of Aug^t last past.

Signed p Ord^r Hen Denton Cl Council.

Came and appeared Geo: Muschamp Esq^r Coll^r & Receiver p. 552 of his Maj^{ties} Customes within the district of Potomock, who signifying to his Ex^{cy} that his Maj^{ty} having as yet appointed no Receiver for the district of Pocomoke, does humbly propose to take upon him the Officiating as Receiver of that district, supposing it was design'd to have been inserted in his Comission, by reason Coll Blakistons Comission extended to both.

Geo: Plater Esq^r his Maj^{ties} Receiver of Patuxent district being present, is asked whether he has any pretension to that district & how the same has hitherto been managed; Who makes answer that no p^{erson} being actually Commissionated to be Recei^{ver} for th^{at} district he took care to look after the same; but th^{at} his Comission extends only to Patuxent district, therefore does think it proper for M^r Muschamps care for the future, the same being formerly joyned to Potomock Ordered thereupon that the s^d Esq^r Muschamp doe for the future take care to receive his Maj^{ties} dues accruing in th^{at} district; and th^{at} all persons concern'd render their accounts to him & yield all due obedience accordingly; he giving good Bond & security for his due discharge of th^{at} trust

A Bond in pursuance thereof being prepared was read & approved off; & afterwards Signed, Sealed & delivered by the said Geo Muschamp Esq^r & the Hono^{ble} Thom^s Tench Esq^r (his security) for the use of his Maj^{ty}

Octob^r 20th 1697.

Geo: Muschamp Esq^r brings M^r Jn^o West Navall officer of Pocomoke district & proposes him to be his deputy Receiver for th^{at} district if thought fitt by this Hono^{ble} Board and the s^d

Lib. H. D. M^r West being thought to be a capable person for th^t Imploy is asked if he is willing to accept thereof. who says he is willing and ready & thereupon is accordingly admitted.

Produced & read a Return of Som^{sett} County Justices dated 15th of Septemb^r last past in relation to a new Com^{mission} of the Peace sent to th^t County, setting forth th^t the same having been read in Court, and it falling so out that two of the Persons to whom the dedimus was directed; Viz^t Leiu^t Coll Jn^o Winder & M^r John Woolford lay in such weak condition that they could not attend the Court and th^t M^r Thom^s Dixon a third person mentioned in the Dedimus was pressed upon & desired by the Court to attend the s^d Coll Winder at his house, the Court before the s^d Com^{mission} was read in Ord^r to get sworn, pursuant to the s^d Dedimus, but failing therein, the County seems at present to be without any Justices.

Ordered thereupon th^t the s^d return together with a paper presented by the s^d M^r Dixon in relation thereto, and the s^d Com^{mission} here produced & Read be referred to the Kings Lawyers for them to make report what is most proper & best to be done in this case & returne their opinion, accordingly unto this Board wth all possible speed; and further th^t they advise whether it may not be proper (for the future) to have the Dedimus run generally directed to the next Iustice, in case of sickness, throughout the whole Com^{mission}.

Octob^r the 13th 1697.

Produced & read a Report of the Kings Lawyers, touching Som^{sett} County Commission as follows Viz^t

Octob^r 13th 1697.

May it please y^{or} Ex^{cy}

Ive considered the case of the Iustices of Som^{sett} County; My Opinion thereon is that by the Publick reading of the new Commission, the old one was determined, and they not swearing upon the s^d Com^{mission} had not any power to make any adjournment & therefore all writts Process & Actions then depending were & are discontinued and cannot be restored by any other way than by an Act of Assembly.

That as to the Com^{mission} the best method will be to send it back with such alterations as to the names in the Dedimus as y^{or} Ex^{cy} shall think meet to be executed in Novem^r next being the time appointed by Act of Assembly to hold Courts.

That it may be proper for the future to let the Dedimus

Runn generally to the next Iustice (in case of Sickness or Lib. H. D. absence) throughout the whole Commission.

This is humbly submitted to y^{or} Ex^{ncy} by

P. 553

Your humble Serv^t

R Gouldesborough.

I am humbly of this opinion Viz^t

1st That the Publication of the new Commission by reading it was not ipso facto a discharge of the old.

2^d That the old Commission is in force till the Justices in the new have capacitated themselves by swearing to execute the same for the Commission by the Tenor thereof does not Empower them till that is done.

3^d That therefore the old Commission is yet in full force & the Writts, Precepts & process continued in force.

4. But that it may be convenient & no wayes disagreeable to law to let the Dedimus run generally as is proposed.

which is humbly Submitted by

Your obedient Serv^t

Will^m Dent

I am of the same opinion George: Plater.

Ordered th^t (considering the Kings Lawyers are divided in their opinion upon the case) the s^d report & papers relating thereto be referred to the Justices of the Provinciaall Court for their opinion, to be given therein And th^t they call to their assistance all the Practitioners of the s^d Court for their advice & opinion also, and that a return thereof be made accordingly unto this Board wth all convenient speed.

Octob^r the 19th 1697.

Produced & read the report of the Honoured the Justices of the Provinciaall Court in the case of Som^tsett County Commission as follows Viz^t

At a Provincial Court held at the Port & Town of Annapolis Thursday Octob^r 19th 1697.

Vpon the Reading the Representation of the Inhabitants of Som^tsett County relating to their new Commission, the Court was pleased to call to their advice all the Attorneys belonging to the said Court, and upon hearing the Allegations and Arguments on both sides.

Lib. H. D. The Court upon due consideration of the Arguments & allegations & the Authorities produced on both sides, the Court gave their severall opinions Viz'

M^r Will^m Hatton was of the opinion that by the reading only & not swearing of the new Comission it was not an absolute discharge of the old Comission.

M ^r Jn ^o Pollard	} Cap ^t Phillip Hoskins	} were of the		
M ^r ffran ^t Ienckins			Cap ^t Thom ^s Tasker	} same opinion.
M ^r Thom ^s Staley			Cap ^t Rich ^d Hill	
Maj ^{or} John: Thompson	} were of opinion th ^t the old Comis-	} sion was discharged by the Read-		
Maj ^{or} John Hammond			} ing & promulgating of the new	
Rob ^t Smith Esq ^r				

in full County.

Whereupon the Court proceeded to give Iudgment and it was by the Court hereby the Majority of Voices adjudged that the old Comission afores^d was not determined by the reading of the new without the new Comission had been complied wth, according as by the said Comission & dedimus was directed.

Chr: Gregory Clk.

The s^d Report is approved off & Ordered th^t the s^d Comission be given to his Maj^{ty}s Lawyers for them to consult whether it is best th^t a new Comission issue or that the Dedimus in the same be only altered. Whereupon was brought in the following answer Viz'

To his Ex^{cy} the Govern^r & the Hono^{ble} the Council &^{ca}
 p. 554 In obedience to y^{or} Exn^{cy}s Comands We have perused the Commission for Som^rsett County and are of Opinion that for the prevention of any disputes the same wth the dedimus issue forth a new under the great Seale, and th^t the dedimus be directed to all or any of the Justices, which is humbly submitted to by yo^r Ex^{cy}s

Most obedient Servants
 George Plater
 Will^m Dent.

Octob^r 20th 1697.

The following Ord^r was indorsed Viz'

By his Ex^{cy} the Govern^r & Council

Ordered th^t a new Comission of the peace issue out of the Hono^{ble} the Sec^{ry}s office for Som^rsett County pursuant to the within directions, and that the Dedimus run Generally and

the Commission be prepared forthwith. And th^t in all Comis- Lib. H. D.
sions of the peace for the future issuing, the dedimus be in
like manner made to Runn Generally & not specially, for pre-
vention of all inconvenience.

Signed p Ord^r H Denton Cl Concil

M^r Thomas Poynters Letter to his Ex^{ty} desiring to be continued deputy Naval Officers at the Inlett by the Seaboard side in Som^rsett County, being read was referr^d to M^r Jn^o West Navall Officer of Pocomoke district & David Kennedy Esq^r his Maj^{ty}s Collect^r there to appoint some fitt person Officer in that place & that the s^d M^r West give him a Deputation accordingly; but th^t the oath of Trade & Navigation be administred to such person before he acts, which they the said Esq^r Kennedy & M^r West are hereby empowered to administer; and if they dont think it for his Majestyes service to keep an officer there, that then they suffer no vessell to come into that place.

Came M^r In^o West Navall Officer of Pocomoke district & made oath to a list of Shipping & his account of the 1st 6^d p^{er} hh^d by him collected wth in the said district to this day extending to the sum of 45^l 11^s 00^d Sterll.

Came Major John Thompson Navall officer of Cœcill County & presented his humble Petition setting forth that his office being distant from the heads of Bohemia Elke & Sassafrax Rivers, where the Goods that come from Pensilvania are generally carryed to; and that as by his office he is bound to attend those places, he through hurry of business granted a permitt to Matthew Clemison for goods which he brought over from Pensilvania to trade in every place contrary to his Ex^{ty}s Proclamation, humbly craving pardon for the same &^{ca} Whereupon the Kings Lawyers were sent for, who came accordingly, & being acquainted wth the said Major Thompsons submission & that this Board was inclinable to restore him to his place of Navall officer & of being inserted in the Provincial Commission; from both w^{ch} he had (for the afores^d offence) been dismissed; did demand of them whether or no it might be legall & proper to doe the same seeing process is now issued against him therefore. Who make answer, that if the said Thompson had persisted in his Error and not acknowledged his fault, it would not be proper nor Legall to restore him to the said places; but seeing he has submitted himselfe, they are of opinion he may be restored to those places notwithstanding such process against him for misfeizance in his Office Ordered thereupon that the s^d Major John Thompson be restored to & continued in his Navall Officers place & inserted in the new Provinciall Commission; notwith-

Lib. H. D. standing any former Order from this Board to the contrary; upon condition he is cautious that he offend not in like nature again. But as to any process issued for his misfeazance; it is left to the Lawyers to proceed according to Law.

Read a petition of Jeoffery power Merchant about some Seamen th' paid Leavie last year (being Sixteen in number) but th' they are taken again in the Constables list this year, P 555 notwithstanding they are now bound for Europe & in a trading capacity; therefore humbly prayes a remission thereof &^{ca} Ordered that the said Petition be referred to the Co^mmittee for laying the leavy; This Board being of Opinion that the said men ought not to pay Leavie again this year.

Produced & read a Letter writt from the Reverend M^r James Brechin, Minister to M^r ffran^s Jenckins of Som^ssett County dated the 6th & another of the 8th of Octob^r instant, giving an account of a pretended Marriage betwixt M^r George Layfield of Som^ssett County & his near Kinswoman; as also a memorandum of one John: Starret concerning the same. Ordered that the same paper be referred to the Kings Lawyers to examin & enquire into the said matter, & that they consult M^r Jenckins therein & make such proceedings thereabout as are legall & proper.

Octob^r 14th 1697. .

Produced & read the Lawyers report in the case of M^r Layfield, as follows Viz^t

Octob^r 14th 1697.

May it please yo^r Ex^{ac}y

We have considered the case concerning M^r Layfield & do report to your Ex^{ac}y that it is not any marriage; and the Vestry of that Parish ought to give M^r Layfield notice according to the Act of Assembly that he doe not accompany with that woman; and in case th^t he do not take notice thereof, but do still continue & proceed in that evill way of living then he must be prossecuted as th^t Act directs.

Geo: Plater, W^m Dent
R. Gouldesborough.

We are of opinion that the Ministers approving off & the others p^rsent & consenting to the said pretended Marriage ought to be sumoned before your Ex^{ac}y to answer such their contempt.

George Plater
W^m Dent

The said report is approved off & Ordered thereon th^t as Lib. H. D.
well Copy of the said Order of Refference from this Board as
of the said Report be sent to the Vestry of that Parish where
the said M^r Layfield lives and that they in all things pursue
the directions there laid down.

Ordered that (according to the opinion of the Kings Law-
yers this day read at the Board) the Sherriff of Som'sett
County do upon sight hereof take care to sumons the Rev-
erend M^r James Brechin, M^r Sam^l Davies and M^r W^m Denice
Master of the Mary (persons said to be present & assenting
to a certain pretended Marriage betwixt M^r George Layfield
and M^{rs} Priscilla White of the said County) to be and appear
before his Ex^{cy} in Councill the last Tuesday in ffeb^r next to
answer the proemises, whereof they are in no wise to faile at
their perill.

Produced & read a Letter by his Ex^{cy} rec^d from M^r Edw^d
Green his Maj^{ty}s Surveyor of Lands in Som'sett County; Sig-
nifying that his occasions call him much abroad, and that he is
providing to remove himselfe to the Port of Annapolis to
follow the brewing Trade So that he cannot attend the duty
of his said office, therefore desires to be dismist therefrom and
some other Person appointed. Ordered that the same be
referred to M^r ffrancis Jenckins and M^r John West of the said
County to recommend some other fitt and capable person to
be constituted in his stead.

October the 25th 1697.

The Council again sate and were present.

His Ex^{cy} ffran^s Nicholson Esq^r Cap^t Gen^l &^{ca}

S ^r Thomas Laurence Baron ^s Sec ^{ry}	}
Coll ^o Henry Jowles	
Coll ^o Geo: Robotham	
Coll ^o Charles Hutchins	

The Hono^{ble} Coll^o George Robotham Judge of his Maj^{ty}s
Court of Vice Admiralty on the Eastern Shoare had this day
administred to him in Council, the Oaths appointed by Act of
Parliament to be taken instead of the Oaths of Alegiance &
Supremacy; as also the Oath usually taken by the Judge of
the said Court and Subscribed to the Test.

The said Coll^o Robotham is hereby impowered & Authorized
to Administer the aforementioned Oaths appointed by Act of
Parliament &^{ca} as also the usuall Oath of Register & that of p. 595
Marshall to his Reg^r & Marshall of the said Court, who are
likewise to have tender'd to them the Test to be Subscribed

Lib. H. D. to, herewith sent; and it is hereby Ordered that an account of his proceedings herein be returned unto this Board with all convenient speed.

Ordered that the Hono^{ble} Coll^e Nicholas Greenberry Judge of his Majesties Court of Vice admiralty on the Western Shore be sworne accordingly at his next appearance in Councill; as also the Register and Marshall of the said Court.

Ordered that the Kings Lawyers take care to see the Shipp Expectation (whereof John Tench was Master) strictly prosecuted in his Majesties Court of Vice Admiralty on the Eastern Shore; for breach of one of the Acts of Trade &^{ca} and that they give notice thereof to the Hono^{ble} Coll^e George Robotham Judge of that Court, that due proceedings may be made therein accordingly. His Ex^{cy} is pleased to demand of the Board if they know of anything further, for his Majesties service, at present to be Offer'd who say they do not.

By his Ex^{cy} the Govern^r &^{ca} Octob^r 27th 1697.

Upon the Representation & application of George Plater Esq^r his Maj^{ties} Receiver of Patuxent district. Ordered that the respective Collectors and Navall Officers of the s^d district give notice to all Masters of Shippes at their entry making, that they omitt not to give good and Sufficient security for the Duties of o^rs o³^d p^r h^h^d and 3^d p^r Tunn (by Law accruing & raised for the support of this Government) unto his Majesties said Receiver or his Deputies by him lawfully authorized. By them to be received accordingly.

Signed p Ord^r Hen^r Denton Cl Concil.

By his Ex^{cy} the Govern^r &^{ca} Octob^r 25th 1697.

Vpon Representation how that M^r Sam^l Worthington, one of the Attorneys of Som^rsett County Court was a great promoter and Instigator of a late pretended Marriage betwixt George Layfield Esq^r and one M^{rs} Priscilla White of that County; for which illegall & undue Practices he is not thought fitt to be continued in that imploye of an Attorney. Ordered therefore that the Justices of Som^rsett County afores^d do not for the future, admitt nor suffer him the said Worthington to practice in th^t County Court His Ex^{cy} thinking fitt for the Reason aforesaid to suspend and debarr him from the same; And he is hereby in his Majesties name suspended from his said practise accordingly; whereof all persons concern'd are to take due notice at their perill.

Signed p Ord^r Hen: Denton Cl Concil.

Octob^r the 30th 1697.

Lib. H. D.

A Receipt of
w^t things recd
back from
Capt Richard
Snowden Jun^r
and also an
acco of things
left behind . .

Received back from Cap^m Richard Snowden
Jun^r These following things Viz^t
One Brass Lanthorne, one Brass pockett Com-
pass, 3 Carbines & Belts: 10: Bagonets & 9 Belts,
2 pair of Pistolls.

Things by the said Cap^t Snowden Still left be-
hind one of the Bagonet Belts, one of the Bagonet
Sheaths said to be lost, two Granado pouches, 6 Grando
Shells & 12 fuzes, 20 pound of Bullet left at the Garrison.

H. Denton: Cl Concill.

Collon^{ll} Addi-
sons rect to
Capt Snowden
for arms, &c

An Acco^t of Armes Rec^d of Cap^m Rich^d Snow-
den Jun^r sent by his Ex^{acy} the Govern^r 8^{br} the 8th
1697

Imp^{rs} One Gun wth case to it, 2 p^r of Pistolls wth steel ends
one of them with a bullet mold & worme, 1 p^r ditto wth brass
ends & a belt mold and worme to it: 2 p^r ditto with plaine
Steel ends. 1 Small Sword & belt one baggonet & belt Redd
1 Broad Sword 1 Bagganet & belt blew wrought wth Gold
the Scabbard lost, 1: Hanger 1 Carterage of powder 2 dozen
& three bullets for the long Gunn 4 Dozⁿ of Pistoll bullets
cast the large mould. 8 dozⁿ of the next Sort & 10: dozⁿ of
the next sort, 32 fusses: 6^{ll} of Powder. 17 pound of bullets,
2 Granado pouches six Granado Shells 12 fussees

9 Pint bottle of Rum, 3 ditto broke Rec^d the above
the whole bottles ordered as his Ex^{acy} p me: John Addison
directed me I: A

Annapolis Novem^r the 1st 1697

Richard
Owines Rect
to his Ex^{acy}
for arms &c

Then Rec^d from his Ex^{acy} the Govern^r at his
House the things following viz^t
1 Brass Lanthorne. 4 Carbines & belts. 2 Bag-
gonets & belts, 2 p^r of Pistolls. one brass Compass, 1 Pro-
spective Glass, 30 flints 2 Bibles, 1 Whole Duty of man 5
Catuch boxes & Belts, one Doller.

Richard Owine

Publick Armes
Remaining in
his Excellencys
House &c

Publick Armes &c Remaining in his Ex^{acys}
House, Viz^t . . .
Eight pair of Pistolls, 4 Carbines & 5 Belts wth
Swivells.

Freeman is said did carry away one Carbine wth him when
he Runaway & the Smith has another to Stock.

Five. Cartooch boxes & belts Eight Bagonets, 1 without a p.139
Sheath: 4 Belts pro ditto 1 without a hanger. One Powder

Lib. H. D. prover, three Snares for Drumms 3 Drum heads Lockey had one, Some wheelbarrow Irons & flints in an ould Caske. Another parcell of flints in a bagg upon the ground One hand Mortar & Rest. Eleven Grannado Shells 3 Mattocks 2 wanting 3 Pick axes each party of Raingers had one, 4 Shovells Cap^t Brightwell had 2: 3 Spades Cap^t Brightwell had 2. Two Flaggs. Novem^r 1st 1697

Memorand^m M^r Beard Rec^d Orders to enquire after the things missing

H. Denton.

Rich^d Bright-
wells Rec^t to
Hen^r Denton
for armes &ca
by me.

June the 3^d 1697. Then Rec^d of Henry Denton C^{lk}: of the Council 20 ffusees being delivered by Order of his Ex^{ncy} & Council this day I say Rec^d Rich Brightwell.

He had delivered to him at his Ex^{ncys} House two Spades two Shovells & one Pickax pursueant to the Ord^r of the 3^d of June as above.

H Denton

Acco of Armes
delivered to
Cap^t Olton by:
H: Denton

At the Port of Annapolis June the 23^d 1697. Del^d pursuant to Ord^r at the Port of Annapolis unto Cap^t In^o Ouldtton & his men, Three Grannad Shells fourteen fussees fifty nine flints forty three pounds of Bulletts one Pick ax Spades & Shovells they had none the above were delivered by me.

H Denton

Colo Mitchells
Rec^t to In^o
Chocke for
armes &ca

Octob^r the 4th 1697.

Then Rec^d of John Chocke thirty two fuzees by his Ex^{ncys} Ord^r

I say rec^d by me Henry Mitchell

memorand^m of
32 fuzees sent
to Coll^o
Courts,

Memorand^m There was also 32 Fuzees sent by the Express that went to Coll^o Addison^s, who was ordered to deliver them to M^r Greenfeild in order to have them sent to the Hono^{ble} Coll^o John Courts, for the use of Charles County, but were by mistake carryed and delivered unto Collonⁿ Addison aforenamed.

Amunition
Deliv^d to Cap^t
Red Bright-
well by Hen^r
Denton

Delivered to Cap^t Rich^d Brightwell by Ord^r of the Hono^{ble} S^r Thom^s Laurence in the absence of his Ex^{ncy} fifteen pounds weight of bullets 24 Muskett flints 24 Carbine flints & 45 Pistoll flints

H. Denton.

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Amunicōn deld By an Ord^r of Govern^r & Council may the Lib. H. D.
by Colo 13th 1696
Thomas to
Cpt Olton
pord^r Council Ordered I should deliver unto John Olton Cap^m
of the Rangers 8 pounds of Powder & tenn
pounds of bulletts out of the Magazeen to your Ord^r & have
taken his receipt for the same as wittness my hand this 26th
day of May 1697.

John Thomas

An acco of Som^rsett County Octob^r 4th 1697.
Collo Browns
Magazeen
taken since his
Decease
Acco of the Magazine taken by my ord^r at the
House of the late Coll^o David Browne, Viz^t 30
musketts, 1 Drum, 2 Drumheads one Trumpett,
7 Carbines & belts 5 Cartooch boxes, 2 Granado pouches 60
fuzees, 7 pair of Pistolls, 1 horse picker, 1 Brass Lanthorne,
one brass Compass: 1 Prospect glass, 1 powder, prover 5
bayonetts & bellts 4 Wheel barrow Irons 2973 Gunn flints
20 Grannado Shells 4 Shovells & 4 Steel spades 4 Pick axes,
one mortar peice, 6 Barrells of Muskett Carbine & Pistoll p. 140
Bulletts, 3 Barrells of Powder, one Barrell ditto not full, one
Barrell of Shott not full Lev^t Coll^o Winder being sick the
acc^o was taken as before p the Ord^r of

W^m Whittington

An Accot of An accot of what is missing of the armes and
what is miss- amunicōn & belonging to Cœcill County w^{ch} was
ing of the arms
belonging to formerly lodged in the hands of Collonⁿ Casparus
Cecil County Herman, taken by us whose names are under-
written Viz^t One Grannado pouch, one Brass Pockett Com-
pass, one Horse Picker one Prospective glass, four Wheel-
barrow Irons, one Spade three Shovells, one Barrell of Pis-
toll bulletts, one Pistoll, one Carbine, Sixty fuzees w^{ch} M^r
Manthorp brought up. Three Barrells of Powder.

5 Barrells of Powder was weighed 2nd Octob^r 1697
by us to 460 weight wth the Barrells.

W^m Pearce
In^o Thompsone

An acco of Maryland ss.
Arms &cs in
Major Smith-
son's Custody
These are to Signify That I Thomas Smithson
of Talbott County in the Province aboves^d doe
acknowledge to have in my Custody, these Severall armes &
ammunition belonging to his Majesty & this Province Viz^t
Forty six firelocks Muskets all fixt, one hand mortar, 2 Gran-
nado pouches, 20 Granado Shells & 57 fuzees, one brass
Lanthorne, one brass Compass, one horse Picker, one Pros-
pect Glass, 1 Drum, 1 Trumpett, 1 Powder prover 2 pair of

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Lib. H. D. Drum heads, 7 Case of Pistolls 7 Carbines & belts 2 pick axes & 2 Mattocks 5 Cartooch boxes & belts 5 baggonetts & belts, 4 Plates, 4 Spikes & four Rings for Wheelbarrowes, 4 Steel Spades & 4 Shovells, 2 barrells of musket balls, 2 ditto Carbine, 2 ditto Pistoll, a parcell of flints said to be 3460.

Wittness my hand this 5th day of Octob^r 1697.

Also at Major Tho: Smithsons

2 Barrells of powder.

Thom^s Smithson

a Certificate under the hands of David Blaney for wt arms &c is his Custody. . . Maryland ss.

These are to Certify whome it may concerne th^t David Blaney of Talbott County in the Province abovesaid doe acknowledge to have in my Custody belonging to his Majesty & this Province, These severall armes & ammunition as followeth. Thirty nine firelock Musketts 1 Barrell & ½ of Powder, & 49 pounds of Muskett bullet & high Swan Shott. Wittness my hand this 7th day of Octob^r 1697

David Blaney

A Certificate under the hand of James Benson for one barrell of Powder. Maryland ss.

These are to Certifye whom it may concerne that I James Benson of Talbott County in the Province aboves^d have in my hands one Barrell of Powder belonging to his Maj^{ty} and this Province, as wittness my hand this 12th day of octob^r 1697

James Benson.

p. 141 In^o Salters Bond of performance of Articles made wth the Iustices of Talbott County Maryland ss.

Know all men by these presents that we John Salter of Talbott County in the Province of Maryland Inholder John Hawkins & Thomas Coursey of the same County Gentlemen are held & firmly bound unto our Sovereigne Lord the King in the full & just Sum of five hundred pounds of good & lawfull money of England, to be paid to the said Lord the King his Heires or Successors, for which payment well & truly to be made we do bind our selves & each of uss our heires Execuⁿ Admⁿ firmly by these presents Sealed wth our Seales & dated the two & twentyeth day of Octob^r Annoq Domini 1697.

The Condiçōn of the above Obligation is such that if the abovebound John Salter, his Heires Exeⁿ Admⁿ or assignes or any of them doe withall convenient speed performe fulfill observe & keep all and every the covenants articles & agree-ments entred into heretofore by the s^d John Salter with the Iustices of Talbott County concerning the Court house of the same County, at the first coming of the said John Salter to the said Court house and if the said In^o Salter doe pay back

& refund to the said Iustices for the use of the said County Lib. H. D.
all such sums of tobacco as hath been allowed and paid to the
said John Salter for the Repairs or alteracōns of the said
Court house at any time since the comeing of the s^d Jn^o Salter
To the said Court house & if the said In^o Salter doe performe
all these things without fraud covin or delay that then the
above obligacōn shall be voyd or else remaine in full force.

Seale & deliver'd in præsence of	Jn ^o Salter	Seale
Will ^m Dent	Jn ^o Hawkins	Seale
Philip Clarke	Tho ^r Coursey	Seale
R Gouldesborough		

Maryland ss:

In^o Wests
Navall Officers
Bond.

Know all men by these presents that we In^o
West of Pocomoke district in the Province aforesaid
Gen^r, and M^r Arnold: Elzey & M^r Allexand^r Kyle
are holden & firmly bound unto his Ex^{ty} Fran^s Nicholson Esq^r
his Maj^{ty} Cap^t Gener^l, & Chief Govern^r of the said Province
in the full & just sum of One thousand pounds of lawfull
money of England to be paid to the said Francis Nicholson
Esq^r his Execu^m Adm^m or assignes, to the w^{ch} payment well &
truly to be made, we bind our Selves & either of us by him-
selfe our & either of our heires Exe^m and adm^m loyntyly and
severally for the whole and in the whole firmly by these
presents wittness our hands & Seales this 26th day of June
Annoq Domini: 1697:

The Condicōn of this obligation is such, that whereas his
Ex^{ty} Francis Nicholson afores^d hath commissioned &
appointed the said Iohn West, to be Navall Officer for the
district of Pocomoke wthin the said Province by his Comission
bearing equall date with these presents, Now if the said John
West shall well and truly performe the said office according to
the Severall acts of Parliament in that case made & provided
and shall observe the directions contained in the acts of
Assembly of this Province relating to the duty of Navall
Officers and from time to time save defend and keep harmless
the said Francis Nicholson Esq^r from all damage loss and
charges that he the said Francis Nicholson Esq^r shall sustain p. 142
at any time by reason of the said Wests nonperformance of
his said office (so long as he shall enjoy the same) as in the
said severall Laws is Enacted & ordained, then the above
Obligacōn to be voyd & of none effect, otherwise to be &
remaine in full force & virtue

Sealed & delivered in
the presence off.
Charles Hutchins
Tho: Collier.

J West	Seale
Arnold Elzey	Seale
Allexan ^r Kyle	Seale

Lib. H. D.

Maryland ss.

Mr G: Mus-
champs Re-
ceivers Bond
for Pocomoke
District

Know all men by these presents that I George Muschamp of S^t Maryes County Esq^r Thom^s Tench of Ann Arrundell County Esq^r and Phillip Clarke of S^t Maryes County Gent. do owe and stand indebted unto our Sovereigne Lord King William the third &^{ca} in the full & just sum of five hundred pounds Sterling money of England. The w^{ch} paym^t well and truly to be made to our Sovereigne Lord the King his heires & Success^{rs} we bind our selves & each of us our & every of our heires Execu^{rs} & adm^{rs} joyntly & severally firmly by these presents, As witness our hands & Seales this 12th day of Octob^r in the ninth year of his said Maj^{ties} Reigne &^{ca} Annoq Domini: 1697:

The Condi^{cion} of the above obligac^{on} is such that whereas the above bound Geo: Muschamp Esq^r hath this day by his application & motion in Councill signified unto his Ex^{cy} Fran^s Nicholson Esq^r Cap^t Gener^l and Govern^r in chief of his Maj^{ties} said Province of Maryland, that his Maj^{ty} having as yet appointed no receiver for the district of Pocomoke he is willing to take upon him that charge and care, by reason it was joynd to that of Pocomoke district, in the time of the late Collon^l Nehem^{as} Blakiston whereof he the s^d Muschamp is by his Majestyes Com^{mission} actually constituted receiver & forasmuch as an order of his Ex^{cy} & Councill hath accordingly passed the day & year above written appointing the said George Muschamp Esq^r Receiver of his Maj^{ties} Revenue of Pocomoke district afores^d in as full & ample power as by his Com^{mission} & instructions for Pocomoke district he is authorized & impowered, Recourse whereunto being had may more fully & at large appear. Now if the said Geo: Muschamp shall & doe in all things well & faithfully discharge & p^{er}form th^e trust by the said ord^r reposed in him as also produce & render before his Ex^{cy} in Councill a true & perfect acc^o (twice every Year) of all Sum & Sum^s of money or tob^o as shall by him be collected for the use of his Maj^{ty} within the district or precinct aforesaid from time to time accordingly make oath to the same dureing his acting in that station then this present obligation to be void & of none Effect, otherwise to Stand & remain in full force power & virtue.

Sign'd, Sealed & del^d in the
presence of us.
James Frisby
S. Watkins
Hen^r Denton.

G: Muschamp Seale
Thomas Tench Seale
Philip Clarke Seale

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An acco of Furs and Skinns exhib- ited by Mr ffr: Jenkins in behalf of Major Robt King. M^r Francis Jenkins accoth of Furrs & Skinns Lib. H. D. Exhibited in behalfe of Major Rob^t King late p. 143 Navall Officer of Pocomoke district in Somerset County Dec^d the 15th day of Octob^r Ann^o 1677, Viz^t

	ll	s.	d
52: Bear Skinns at 9 ^d p piece	01:	19:	00
21: Beaver Skinns at 4 ^d p piece	00:	07:	00
76: Otter Skinns at 3 ^d p piece	00:	19:	00
432: Mink Skinns at 1 ^d ½ p piece	02:	14:	00
2286: Raccoone Skinns at ¾ of 1 ^d p piece	07:	02:	10½
340: ffox Skinns at 1 ^d ½ p piece	02:	02:	06
147½ dozen Musk Ratt Skinns at 4 ^d per dozen	02:	09:	02
1 Cubb Skinn	00:	00:	10½
24 Catt Skinns at 1 ^d ½ p piece	00:	03:	00
	17:	16:	08

Salary of 8 p Cent allowed out of the same	01:	08:	06
Batt ^r due to the Schoole out of the same	16:	08:	02

Memorandum the said Sum of 16^{lb}: 08^s: 02^d: was paid to his Ex^{ncy} Francis Nicholson Esq^r Cap^t Gennerall &^{ca} for which rec^t was by him passed accordingly to M^r Jenckins, 26th of Octob^r 1697. his said Ex^{ncy} being accountable to the Governours and Trustees of the Free Schoole for the said Sum.

H: Denton.

Major Ino Thompsons acco of Skinns & ffurrs An exact acco^t of what Collection upon furrs & Skinns I have made, when, & from whom Rec^d Viz^t

May the 8th 1695 Of M^r Edw^d Boothby for } lb. s. d.
clear of 15 Raccoones 17 Fox & Catt, one } 00: 03: 09¾
Bear Skinn belonging to Colloⁿ wells }

June the 17th Of Cap^{tn} W^m Lurting for } o: 02: 02¼
one Otter 3 Raccoones & 54 Musk Ratts }
H Denton Cl Concil.

July the 30th of Coll^o Herman for 10
Bear & 10 Cubb o: 09: 02
June the 30th 1696 Of ditto for 10 Bear
& 10 Cubb 00: 09: 02

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Lib. H. D. July 15 th Of In ^o House for 36 Catt, 64 fox, 8 Fisher 3 Mink 26 Beavers, 130 Musk Ratt, 18½ Otters, Eighty Raccoones, 13 Woolfes 14 Fishers, 14 Catts, 32 Foxes 24 Cubes 76 Beavers, 100 Cubbs	6: 02: 04
29 th Of Cap ^m Thomas Gurnall, 4 Beares & 1 doz ⁿ of Musk Ratts	0: 03: 04:
Septemb ^r 10 th of Cap ^t Dean: Cock for 30 Cubb, 30 Beare, 100 Raccoones 30 Fox & Catt 10 Fishers	1: 18: 09
March 10 th Of Cap ^t Cotterell for nine Raccoones	0: 00: 06¾
1697: 25 March of Cap ^t Lurting for one dozen of Musk Ratts, 14 Fox 2 Otters & two Musk ratts.	0: 02: 03½
27: of James Frisbey Esq ^r 4 doz ⁿ of Musk ratts, 1 Woolf skinn 20 Raccoones, 3 Catt, 10 foxes, 2 fishers, 5 small Beavers Of ditto for In ^o Browne, 24 Raccoones, 2 fox 5 Cubbs	0: 08: 10
31: Of Cap ^t Dodson for 6 fox 4 Raccoones, 6 Beavers one dozen of Musk Ratts	0: 03: 04
	<hr/> 10: 03: 09¼
p. 144 April the 5 th Of John Askew for 25 young Bear & Cubb 3 Woolves twelve Dozen of Musk Ratts	00: 16: 08½
July the 12 th Of Sam ^l Scott for one Doz ⁿ of Musk Ratts	00: 00: 08:
Septemb ^r the 29 th 1697 Of In ^o Askew for fifty young Bear & Cubb, 30 Raccoones 36 Musk Ratts 2 Minkes 17 ffox	01: 07: 02
Sum Total	<hr/> 12: 08: 03¾

p In^o Thompson: Navall Offic^r

An Account of the 1st 6^d p hh^d Exhibitted by M^r In^o West Navall Officer of Pocomoke District, M^r Francis Jenkins (in behalfe of Maj^{or} Rob^t King Late Navall Officer of the said district Dec^d) and George Plater Esq^r his Majestyes Receiver of Petuxent district, all accounted for in Octob^r Ann^o 1697.

Viz^t

M ^r In ^o Wests acco ^t of the 1 st p hh ^d , on 601 hh ^{ds} of tob ^o	lb	s.	d.
	30:	01:	00

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Additionall 3 ^d on the s ^d Tobb ^o due to his Ex ^{acy} the Govern ^r	07: 10: 03	Lib. H. D.
To ditto given to the Church	07: 10: 03	
To 6 ^d p hh ^d on 19 hh ^{ds} brought out of Virginia	00: 09: 06	
Sworn the 12 th of Octob ^r 1697.	45: 11: 00	
M ^r ffancis Jenkins (on behalfe of Maj ^{or} Rob ^t King Dec ^d) his acco ^t of the 1 ^d p hh ^d on 257 hh ^{ds} & 1/4	12: 17: 06	
Additionall 3 ^d thereon due to his Ex ^{cy}	03: 04: 04 1/2	
To ditto given to the Church	03: 04: 04 1/2	
Exhibitted the 15 th of Octob ^r 1697	19: 06: 03	
George Plater Esq ^r his acco ^t of the 1 st p hh ^d on 916 hh ^{ds} of tobb ^o	45: 16: 00	
Additional 3 ^d thereon to his Ex ^{acy}	11: 09: 00	
To ditto given to the Church	11: 09: 00	
To 6 ^d p hh ^d on 71 hh ^{ds} of tobb ^o brought from Virgin ^a	01: 16: 06	
	70: 09: 06.	
Quarter part out of M ^r Iohn Wests acc ^o - appropriated for arms	7: 10: 03	
To ditto out of M ^r Francis Ienckins acco ^t	3: 04: 04 1/2	
To ditto out of M ^r Platers acc ^o	11: 09: 00	
	22: 09: 07 1/2	
Due to the Church out of the s ^d three Sums & for w ^{ch} his Ex ^{acy} is accountable the said Sum of	22: 03: 07 1/2	
As also 3 ^d p hh ^d on 90 hh ^{ds} brought out of Virginia	01: 02: 06.	
	23: 06: 01 1/2	
Memorand ^m M ^r West charges in his acc ^o 8 p Cnt for collection of the above sum of	45: 11: 00	
And M ^r Iencks in his acc ^o for collection of the Sum of - - - - 19: 06: 03	19: 06: 03	
An Acc ^o of money due for & towards building the Church at Annapolis & in whose hands the same is lodged Viz ^t	p. 145	
By the 3 ^d p hh ^d Collected & accounted for the 8 th day of June 1697. In his Ex ^{acy} s hand	376: 00: 01 1/2	

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Lib. H. D. By 70566^{lbs} of Tob^o Sold to M^r Coutts at
13^s p Ct.

468:	13:	06
844:	13:	07½

Rec^d by M^r Coutts of the said Tob^o 30142^{lb}
w^{ch} at 13^s p Cn^t amounts to 195: 18: 04:
Which is lodged as follows Viz^t

In his Exn ^{cy} the Govern ^r hands 383 Doll ^{rs} at 4 ^s 6 ^d p Doller is	86:	03:	06
In M ^r Perryes hands 145 Dollers at 4 ^s 6 ^d p Dol- ler is	32:	12:	06:
Paid to Major Dorsey 222 Dollers at 4 ^s 06 ^d p Dol- ler	49:	19:	00
In the hands of Henry Denton	27:	03:	04
Which s ^d four Sums make the above Sum of - - -	195:	18:	04
Due from Cap ^t Will ^m Hol- land for 40424 ^{lbs} of tob ^o left unp ^d to M ^r Coutts at 13 ^s p Cn ^t	272:	15:	02
	468:	13:	06

Brought downe from above	844:	13:	07½
To his Ex ^{ncy} Free Gift out of his own pocquett	100:	00:	00
The 3 ^d p hh ^d accounted for in Octob ^r Ann ^o 1697. in his Ex ^{ncy} hands & due to the Church	23:	06:	01½
	£967:	19:	09

The above Acco^t was inspected by a Com-
ittee appointed by his Ex^{cy} Council &
House of Delegates 18th day March
1697½: - -

H Denton Cl Concil

Memorandu the following Money, for & towards building
the Church at Annapolis, Lyes lodged in the hands of his
Ex^{ncy} ffrancis Nicholson Esq Viz^t

383 Dollars at 4 ^s 6 ^d p Dollars is	lb	s.	d.
To his Ex ^{ncy} 's own free Guift	86:	03:	06
	100:	00:	00

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To The 3 ^d p hh ^d accounted for 8 th of				Lib. H. D.
June 1697	376:	00:	01 ½	
To Ditto Accounted for in Octob. A ^o 1697.	23:	06:	01 ½	
	£385:	09:	09	

March 28th 1698.

The above sume of 585^{lb} 09^s 09^d. acknowledged to be in the hands of
 Given under my hand & Seal }
 in p'sence of his Ma^{ty} hono^{ble} Council, the day }
 & year above written } ffr: Nicholson

Memd. That the Sume of 468^{lb} 13^s 6^d in the 2^d lyne of Figures in this folio is a mistake for that 70566^{lb} tob at 13^d p hundred am^o only to the Sume of £458: 13: 6^d So that the Balance due from Cap^t Holland is only £262: 18^s: 2^d

May it please your Ex^{ncy}.

Capt Tho: Vppon my arrival here I sent Mr George
 Ponds Letter to his Ex^{ncy} & Browne one of my Volenteers to wait on your
 Ord^r thereon Ex^{ncy} to receive y^{or} Comands

This now informes your Ex^{ncy} that I doe intend to Sayle hence for England (God willing) by the first of Ianuary, If your Ex^{ncy} have any Shipps in your Governm^t th^t will be ready by that time, & be downe, shall be glad to take them under my convoy,

James Towne the 2nd
 of Octo^{br} 1697
 Govern^r Nicholson

I am y^{or} Ex^{ncys} most
 humble Serv^t
 Tho: Pound

Novem^r 14th 1697.

Memorand^m his Ex^{ncy} did not receive the above Letter till the 12th instant, being (this day) pleased to ord^r Copy thereof to be sent to the Severall Collect^{rs} & Navall officers of this Province who are to give notice of the Contents to all Masters of Shipps, Merchants, and Traders within their respective districts.

Signed p Ord^r Hen^r Denton Cl Concil

By his Ex^{ncy} the Govern^r &^{ca} Novem^r 13th 1697.

Vpon Representation that Mr Iohn Cood had imployed Cap^t Slye and others to receive severall of his debts due to him in St Maries County since his flying from the hands of Iustice here into his Maj^{ties} Colony of Virginia. Ordered that

Lib. H. D. his Majesties Lawyers be consulted to give their Opinion whether the said Cood could legally invest any person with such power after such flight, and th^t they make report accordingly unto his Ex^{cy} with all convenient speed.

Signed p Ord^r Hen^r Denton Cl Concil.

At a Council met and held at the Port of Annapolis the 19th day of November in the 9th Year of the Reign of our Sovereigne Lord King William the third &^{ca} Annoq Domⁱ 1697.

Present

His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^l &^{ca}

The Hono ^{ble}	S ^r Thomas Laurence Baron ^{tt} Sec ^{ry}	}
	Coll ^o Henry Iowles	
	Thomas Tench Esq ^r	

Produced & read a Letter & Iournall of the Hono^{ble} Thom^s Tench Esq^r and Major Will^m Dent (who were sent by his Ex^{cy} and his Maj^{ties} Hono^{ble} Councill of this Province unto his Ex^{cy} S^r Edmund Andros his Maj^{ties} Govern^r of Virginia about the Piscattoway Indians as follows Viz^t

Nanjemy Charles County Novem^r 16th 1697.

May it please yo^r Ex^{cy}

Inclosed is an account of our Negotiations in Virginia & the Result of his Ex^{cy} and Councill upon the matters proposed by us.

We also send yo^r Ex^{cy} an account that Cap^t In^o Withers relates to us that the Piscattoway Indians say there is five Susquehanno's yet remaining of th^t Nation formerly seated neer the Eastern branch of Potomock and are now among them Indians at the head of the Bay with Esq^r Tom that either by themselves or those they hyre are the authors of all these Murthers of ours; their names are underwritten. He says also that he perceives the Piscattowayes are in great doubt of yo^r Ex^{cy} & Government being angry wth them and imputing the Murther to them & would be glad to know the contrary.

He says the two Nations of Sennecoos above our frontiers

are the one called Anundagoes, the other Aquungo's not farr
asunder. Lib. H. D.
p. 597

We have not further to Offer but that we
are your Ex^{ncy}'s most obedient servants

Mangue
Ascohans
Waupanussum
Esq^r Tom
Chernocque
Nochernunas

Thomas Tench
Will^m Dent

A Journall of a Journey from Nanjemy in Charles County
Maryland to Iames Town in Virginia by Thom^s Tench Esq^r
and William Dent being sent by his Ex^{ncy} the Govern^r &
Councill of Maryland to his Ex^{ncy} S^r Edmund Andros Govern^r
of Virginia on express about the Indians &^{ca} 1697.
Tuesday 2nd of Novem^r 1697.

About eight in the Morning we sett out from Will^m Dents
at Nanjemy and got our horses over Potomock & travelled to
Whitings fferry on Rappahannock in Virginia & there lodged
that night.

Wednesday 3^d Novem^r We passed Rappahannock fferry
at Whitings and so to Yarboroughs fferry on the ffreshes
Pomunkey River & there lodged that night.

Thursday 4th We passed Pomunkey fferry and that Even-
ing came to Iames Towne, calling at Coll^o Ludwells as we
went, and because we understood that the Assembly was
ended we sent Perry to his Ex^{ncy} S^r Edmunds house to give
our service and an accot of our arrival desiring to know when
we might wait on his Ex^{ncy} And Perry meeting us again &
acquainting us that his Ex^{ncy} was at home & ready to receive
us, we immediately took horses and went to his house, deliv-
ered his Letter from his Ex^{ncy} the Govern^r of Maryland w^{ch}
when read his Ex^{ncy} S^r Edmund Andros desired to know what
we had to Offer whereupon we perused our Instructions &
gave his Ex^{ncy} a Verball account of what we had given us in
charge to w^{ch} his Ex^{ncy} reply'd that in regard it consisted of
divers heads to which divers answers might be requisite; he
desired if we thought fit that what we had to Say might be
laid before him in Writing to prevent all mistakes, of w^{ch} we
desired time to consider, w^{ch} was granted and after some
time we took leave & returned to one Rawlins in Iames
Towne our Lodgings, and we heard that that night his Ex^{ncy}
Sent to Coll Iennings to some of the Councill that were there,
who the same day went from thence to Stopp them there till
further Orders.

Fryday 5th of Novem^r We went again to his Ex^{ncy}'s house,

Lib. H. D. having first drawn the heads of our Instructions into Writing, as proposalls to lay before his Ex^{ncy} w^{ch} we presented to his Ex^{ncy} who rec^d & read the same & return'd for answer, that since the Matter had been so maturely considered on as was
p. 598 expressed he thought convenient to take some time to consider of suitable answers; We desired to know what time or methods his Ex^{ncy} would take to consider and returne answer; to w^{ch} his Ex^{ncy} replied th^t if we desired it he would instantly return such a verball answer as he could; but if we would stay longer he would endeavour to return an answer suitable to the concern in Writing, wherein he would endeavour not to be wanting in anything; to w^{ch} we replied it was not our intent or desire to straiten his Ex^{ncy} in point of time, but that it was our business & we would waite on his Ex^{ncy} till he should please to say he had no other answer to give us; Not but that if his Ex^{ncy} would give us a verball answer & Sah that he had no further answer to give, we would returne wity that & returne it as well as we could. His Ex^{ncy} replied, he would advise & return a suitable answer, for w^{ch} we thanked his Ex^{ncy} stayed there, dined and at night return'd to Iames Town. Coll^o Bird was present during the above Communication, and the Copy of the proposalls is hereunto annexed.

Saturday 6th Novem^r We stay'd in Iames Town and understood that his Ex^{ncy} had appointed a Councill to meet at Iames Towne on Tuesday following.

Sunday 7th His Ex^{ncy} Invited us to dinner. After Sermon we went, and his Ex^{ncy} after dinner came back with us to Evening Sermon.

Munday 8th Novem^r His Ex^{ncy} lent us two horses & men, and we went to see the Colledge and return'd at night.

Tuesday 9th Novem^r We dined in the Hall at Iames Towne, with the Govern^r and Councill, to wit, Coll Lee, Coll^o Bird Coll^o Ienings, Coll^o Hill, M^r Tench being taken very ill at Table was constrained to depart to his Lodgings and to bedd. After Dinner, his Ex^{ncy} sent M^r Sherlock the Clerk of the Councill to us, that the Govern^r and Councill were ready to see us, but by reason of the indisposition afores^d. We were not both able to attend and therefore sent word, we desired till next day, and it was granted.

Wednesday 10th Novem^r We again dined wth the Govern^r & Councill in the Hall; and after dinner the Govern^r & Councill sate and sent the Clerk again to us, and we attended where Chaires being sett for us after we were sett downe, His Ex^{ncy} was pleased to say that he had laid our proposalls before the Gentlemen of the Council, w^{ch} he had caused to come there to consult thereon; was sorry that the other Gentlemen of the Councill were not there, to whome he had also sent;

but most of Them had sent the reason of their not coming, Lib. H. D. and desired to know if we had anything further to Offer; to which we return'd answer, that we were to give his Ex^{ncy} and that Hono^{ble} Board an Acco^t of a late Murther committed in Maryland by Indians w^{ch} we did by reading the Letters of Cott^o Addison & some others giving an acco^t of the Circumstances thereof, and then we read our severall proposalls laid in Writing before his Ex^{ncy} and upon reading every article explained the same by words and enlarged thereon by laying before his Ex^{ncy} and that Hono^{ble} Board the Inductive reasons of the Government of Maryland; desiring the same and the reasonableness & Justness thereof; and particularly that article desiring the Indians to be sent for & hear proposalls from some Gentlemen appointed of Maryland.

We gave a particular account of what proposalls we had to make to them; and so having passed through every Article of ours in Writing; We concluded th^t the same was thought necessary for his Maj^{ties} service and the peace & safety of Maryland and therefore concluded wth an humble prayer to grant them and give Ord^r accordingly. To w^{ch} his Ex^{ncy} re- p. 599 turned answer that as they had so they would have all due regard not only to our Message but our persons and being asked if we had any further to say, we replied we had not; but to desire that as our proposalls had been laid down in Writing so the answers to them might be that we might not Err in returning them, and so we Retired. About 3 or four hours after we were called in and his Ex^{ncy} then acquainted us that the Gentlemen had weighed & duly considered the severall matters laid before them, and that it was their desires as well as his Ex^{ncys} not to be wanting in anything of a suitable returne; and thereupon his Ex^{ncy} was pleased to give us a verball answer to every Article; saying first that it was conceived that the Relation we had given of the Murther was in Ord^r to usher in the other proposalls To w^{ch} we made answer that we came not to argue with his Ex^{ncy} and that Hono^{ble} Board, but to propose & desire as we had done in Writing and declared our selves at large thereon and humbly prayed that we might have his Ex^{ncy} & Councils result or answer in Writing; it was returned us that we should have it in Writing as soon as it could be transcribed. We then returned our thanks to his Ex^{ncy} for his Courtesies and favours to us, and in giving us so ready a dispatch; and to the Hono^{ble} the Gentlemen of the Council for their trouble occasioned thereby, assuring them we used our utmost endeavor to have reacht Iames Town before the Assembly ended but could not; and so we retired to our Lodgings and some Gentlemen of the Council went wth us & treated us with a glass of Liquors &^{ca}

Lib. H. D. Thursday 11th of Novem^r We sent for our horses, went to wait on the Councill but mett them coming to us The Deputy Sec^y Coll^o Ienings delivered us two papers as the Councills result upon our matters.

We asked if we were to have any further answer; It was return'd there was no further answer. Afterwards in the Hall we asked his Ex^{ncy} & Councill present if we were to expect any further answer. His Ex^{ncy} answered that the matter required no further answer then what was given; but there was a Letter from his Ex^{ncy} the Govern^r of Maryland which would be answered hereafter. So we took leave and went that night to Coll^o Ludwells and lodged there. The Govern^r & Councills Result is annexed.

ffryday 12th Novem^r Went from Coll^o Ludwells passed Spencers fferry at the ffreshes of Pomunkey River and lodged Seaven miles beyond at the house of one Carr.

Saturday 13th Novem^r We passed Mattapany River fferry at Tarborough and so down to Southins fferry kept by one Catlet, went over there & so to Cap^t Arthur Spicers two Miles off and lodged there that night.

Sunday 14th Novem^r We came from Cap^t Arthur Spicers and so to Cap^t John Withers on Potomock River and lodged there that night.

Munday 15th Novem^r We came over Potomock in Cap^t Thomas Bakers small boat to his Shipp Riding at Nanjemy Road, and from thence he set us up in his boat to Lewis Neck, and so we came over Nanjemy Creek to William Dents; and Cap^t Withers with his fflatt set our horses over Potomock to
p. 600 Coedar point, and the Men ridd them round the same day So that night we all arrived safe at Will^m Dents Nanjemy Charles County Maryland. And so ended this Iourney on Munday night the 15th day of Novem^{br} 1697.

Tuesday 16th day of Novem^r We transcribed our Iournall & writt to his Ex^{ncy} the Govern^r of Maryland an Acco^t of what we had more to say or had observed concerning the præmises &^{ca}

Thomas Tench
Will^m Dent

Afterwards was read a Copy of what the s^d Esq^r Tench & Major Dent lay'd before his Ex^{ncy} S^r Edmund Andros and his Maj^{ties} hono^{ble} Council of Virginia in writing Viz^t

James Citty Novem^r 4th 1697

To his Ex^{ncy} S^r Edmund Andros Kn^{tt} his Maj^{ties} Leivten^t & Governour Gen^{ll} of Virginia &^{ca}

It being thought necessary by his Ex^{cy} the Govern^r & Lib. H. D. Council &^{ca} of his Maj^{ty} Province of Maryland, for his Maj^{ty} service & the Peace & safety of that Province to Command us the Subscribers to attend upon your Ex^{cy} and lay before you some things relating to the Indians and a late Murther committed by Indians unknown &^{ca} In obedience whereunto we attend yo^r Ex^{cy} & humbly Offer.

1st That we are ready to acquaint yo^r Ex^{cy} the Circumstances of the s^d late Murther.

2^{ndly} That forasmuch as the s^d late Murther has been committed by Indians unknown to the Govern^t of Maryland therefore his Ex^{cy} the Govern^r and Council &^{ca} of Maryland desire your Ex^{cy} to cause inquiry to be made after the s^d Murtherers within your Government as hath been lately done in Maryland by his Ex^{cy} the Govern^r for the seizing and apprehending an Indian called Esq^r Tom that fled to that Province from the hands of Iustice in Virginia.

3 That whereas it is reported in Maryland that the Indians are possessed with ill notions that for any misdemeanors committed there they are not to be punished for the same in Virginia; therefore it is also desired that your Ex^{cy} will be pleased to make them sensible of the contrary.

4^{thly} Your Ex^{cy} is also desired to prohibit the Inhabitants under your Government from selling to those Indians lately come out of Maryland, any Powder or Ball, and the like will be done in Maryland by his Ex^{cy} the Govern^r &^{ca} The said Indians having carried away with them out of that Government & purchased since a considerable quantity of both by their own saying That by Information the said Indians have not purchased or used a thousand weight of Powder a year.

5th Your Ex^{cy} is likewise desired to appoint & send some Gentlemen to meet in Stafford County or else where and call the s^d Indians before them in Order to discourse them in presence of some persons to be sent out of Maryland, as well to inform the Indians the resolutions of this Government not to protect them; as also for the Gentlemen of Maryland to make proposalls to them.

6 Your Ex^{cy} is likewise desired to send persons up to the ffort of the said Indians in this Government to see if they have any strange Indians among them and what number there may be of them; and whether they have dispersed themselves about a hunting according to their usual custome; it being apprehended that the said Indians, living so remote p. 601 from the inhabitants, may have ffrench Iesuits or Priests and other French men among them.

7^{thly} Your Ex^{cy} is likewise desired to cause yo^r Rangers appointed for the ffrontiers of Potomock to settle somewhere

Lib. H. D. convenient towards the head of Potomock, and that your Ex^{ncy} will be pleased to give Instructions to the Comānder in chief of Stafford County & the Rangers to hold frequent correspondence wth the Hono^{ble} Coll^o Jn^o Addison and the Rangers in Maryland, who have already Instructions to do the like with these in Virginia.

8th Your Ex^{ncy} is likewise desired to give orders to y^r Rangers to agree with the Maryland Rangers what shall be an Alarm, and th^t you will be pleased to give them charge to forbear hollowing or firing Gunns in the night unless upon occasion.

These matters have been consulted and Resolved on by his Ex^{ncy} the Govern^r & Council of Maryland wth the advice of the Hono^{ble} the Justices of the Provincial Court, the Gentlemen of a Grand Comītee for laying the Public Leavy, the Gentlemen of the Grand Jury for the body of that Province, and severall Gentlemen lately imployed to go to the said Indians and given us in charge to your Ex^{ncy} In obedience whereunto for his Majes^{ties} service & the Peace and safety of his Maj^{ties} said Province of Maryland the same is hereby represented, laid before and desired of yo^r Ex^{ncy} as afores^d which is signified by

Your Ex^{ncyes} most humble Servants
Thomas Tench
W^m Dent

Then produced a Copy of some proceedings taken before his s^d Ex^{ncy} the Govern^r and his Maj^{ties} Hono^{ble} Council of Virginia of the 11th of August last past in Answer to a former message about the said about the s^d Indians; as also another of the 10th of November instant in answer to what the s^d Esq^r Tench & Major Dent now laid before them, w^{ch} were read as follows Viz^t

At a Council held at M^r Secretary Wormleys
the 11th August 1697.

Present

His Ex^{ncy} and Council

His Ex^{ncy} laid before the Council severall Letters & papers relating to the Indians w^{ch} occasioned the again reading & further considering the proceedings of a Committee in Maryland confirmed by the Govern^r Council and Burgesses there relating to Indians now in this Government and Agents or Gentlemen to be sent to treat with the s^d Indians of whom

by their Letters it appears his Ex^{cy} had not nor could Lib. H. D.
possibly have notice of their passing through this Government
till they were returned; w^{ch} Letters Papers and proceedings
the Council have maturely considered and do not yet apprehend
the intent & meaning of the Government of Maryland
transmitting such papers; The Agents or Gentlemen from
Maryland having passed through treated wth & returned from
the Indians in this Government without the knowledge of his
Ex^{cy} w^{ch} proceedings the Council are of Opinion amuses the p. 602
Inhabitants and tends to the disturbance of the Government
and therefore the Council pray his Ex^{cy} to acquaint the
Govern^r of Maryland th^t before any treaty with any Indians
in this Government be permitted his Ex^{cy} be made timely
acquainted therewith and that his Ex^{cy} please to give Com-
mands to the Com^{mander} of the Militia and Rangers in
Stafford County that none be suffered to treat with the
Indians in this Government till his Ex^{cy} allow thereof and
Ordered accordingly.

James Sherlock Cl Concil

At a Council held at James Citty the 10th Novem^r 1697.

Present

His Ex^{cy} and Council

His Ex^{cy} yesterday was pleased to lay before the Board a
Letter from the Govern^r of Maryland of the 10th of Octob^r
past & a Copy inclosed of the 24th of June sent by Thom^s
Tench Esq^r one of his Maj^{ties} Hono^{ble} Council and Major Will^m
Dent to wait upon his Ex^{cy} of Whome due regard being
had, and being fully heard what they had to offer from the
Govern^r and Council of Maryland on mature consideration
thereof and the said Letter of the 24th of June being formerly
answered, This Board are of opinion th^t it is not advisable
to make inquiry after or Proclamation against unknown or
undiscribed persons.

That the Report in Maryland of the Indians notions that
they shall not be punished here for any misdemeanor com-
mitted in Maryland is groundless That the prohibition of
selling ammunitiion to particular Indians is neither advisable
nor available neither see any cause to send for or to the
said Indians. The Rangers are appointed on the frontiers of
Potomock River and the Commander of the Rangers & Militia
long since Ordered to Acquaint Coll^o Addison with any thing
materiall. The Generall Alarum of this Countrey is firing of
Guns at convenient distance and any disorder in the Night pun-
ishable & 'tis also the opinion of the Council that the present

Lib. H. D. & a Copy of the former Order be transmitted to the Govern^r of Maryland by the Gentlemen sent by himself and Councill and Ordered accordingly.

James Sherlock Cl Con^l

His Ex^{cy} is pleased to demand of the Board what they think is best to be done in this case. Who after some consultation therein had, do think it to be a matter of such consequence as will require the advice of as many of his Maj^{ty} Hono^{ble} Councill as can conveniently be got together. Ordered therefore that summons issue to give notice to the Hono^{ble} Coll^o Geo: Robotham, Coll^o Nicholas Greenberry Coll^o John Courts, Thomas Brooks Esq^r and James ffrisby Esq^r to meet his Ex^{cy} in Council at the Port of Annapolis; on Thursday next come sennight to consult the said affair. It being not thought convenient that Coll Addison should be sent for by reason of the Service he performes upon the ffrontiers of Potomock, nor Coll^o Hutchins being at too great distance.

p. 603 His Ex^{cy} is pleased to aske Esq^r Tench what thoughts the people of Stafford County have concerning the Piscattoway Indians; who says that they seem to be uneasy and fearfull that the said Indians have no good designes, but do wish they were rid of them.

Ordered that Copy of Esq^r Tench & Major Dents Letter to his Ex^{cy} of the 16th instant produced and read in Councill this day in relation to the Indian Esq^r Tom and five Susquehannos be sent to Major John Thompson of Cæcill County for him to make inquiry if any such Indians are in those parts, and that he returne answer to this Board accordingly with all convenient speed.

The following Summons pursuant to Order issued Viz^t

Port of Annapolis Novem^r 16th 1697

Hono^{ble} S^r

This day his Hono^r Esq^r Tench came to Towne and presented a Journall of his & Major Dents negotiation in Virginia about the Indian affair, together with the result of his Ex^{cy} S^r Edmund Andros and Councill upon the matters proposed to them, w^{ch} have been here read in Councill & Judged to be such as do require the speedy meeting of more of his Maj^{ty} Hono^{ble} Councill to consult the same; You are therefore required (on this occasion) to meet his Ex^{cy} accordingly at this place, on Thursday next come sennight, w^{ch} will be the 2nd day of Decem^r pursuant to Order for the same this day passed.

Signed p Ord^r Hen: Denton Cl Con^l

Copy of the above Summons was sent to the Hon^{ble} Coll^o Lib. H. D. Robotham & Esq^r ffrisbey with the following postscript Viz^t

If your Hono^r pleases to come by Land as farr as Broad Creek on Kent Island there will be a Boat ready to wait on you on Wednesday the day before; w^{ch} his Ex^{cy} takes care to send from the Ieofferries, & will likewise sett you back again to the same place, if y^{or} Hono^r is minded to come that way.

At a Councill held at the Port of Annapolis the 21st day of Novem^r 1697, in the ninth year of his Majesties Reigne

Present

His Ex^{cy} ffran^t Nicholson Esq^r Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^o Sec^{ry}
Coll^o Henry Iowles.

Came and appeared Major Iames Maxwell high Sh^{ff} of of Baltimore County & made his returne to a Certain Order of this Board of the 19th of October last past in relation to one M^r Bartlett a dissenting Minister and says that he served the Order upon him, who did promise to come down wth him, but hath since conveyed himselfe privately away and is not to be found. M^r Thomas Staley the Cheif Vestryman of S^t Johns Parish in that County being brought & examined does say that the said Bartlett is not allowed any thing out of the 40 p poll and th^t he once shutt the Church doores ag^t him, for w^{ch} he rec^d a great deale of ill will from the Parishoners. Upon w^{ch} his Ex^{cy} is pleased to say that the s^d Bartlett not being in Ordⁿ he is not to be suffered to Preach in any Church but if he has a mind to sett up a private Congregation, he may do it; Provided he first have leave from the Government p. 604 & not otherwise. But if found Acting contrary, the s^d Major Maxwell is ordered to take him into custody and bring him before his Ex^{cy} to answer &^{ca}

Michaell Iudd of Baltimore County appearing, pursuant to a former Ord^r of his Ex^{cy} to the Sherriff of that County to see what he had to say about Amos Nicholls, who giving an account of one Thomas Browne and severall persons of the s^d County that have had dealings wth the said Nicholls within this halfe year and concerning John Hanstillmans holding frequent correspondence wth three French Indian Traders, persons represented to have been chief Actors in cutting off & destroying severall families and a Town in New England. The s^d Sherriff is Ordered to take the s^d Iudd into Custody &

Lib. H. D. not suffer any person to discourse him out of his hearing, and that what he has to say in th^t nature he put in Writing by way of Deposition against to Morrow Morning, in Ord^r to make Oath to the same.

Vpon the s^d Information the following Warrant was by Ord^r issued; Viz^t

By his Ex^{cy} the Govern^r & Councill, Novem^r 21th 1697.

Whereas by Information of Michael Iudd of Baltimore County Inn-hoalder it hath been signified unto his Ex^{cy} in Councill how that John Hanstillman of Cæcill County does deale and hold frequent correspondence with three french Indian Traders, alien Enimies to his Majesty and this Govern^{mt}; and by him represented to have been chief Actors in cutting off and destroying severall families & a Town in New England. And whereas the said Judd does further give an account of one Thomas Browne and severall other of the Inhabitants of Baltimore County that have lately held frequent correspondence with one Amos Nicholls formerly belonging to Cæcill County; Nothwithstanding his Ex^{cy} Proclamation and hue & Cryes for apprehending him upon complaint of severall notorious Crimes and misdemeanours he the said Nicholls had perpetrated and Committed.

These are therefore in his Maj^{ties} name to Authorize & Em-power, as also will & require Major James Maxwell high Sheriff of Baltimore County forthwith upon sight hereof to go wth the s^d Iudd over into Cæcill County unto the s^d Hanstillman; whome he is to have before some Magistrate of the said County in Order to be Examined and such persons Depositions taken, as he upon inquiry shall find requisite in that behalfe, and that he use the same method against those persons inform'd against living in Baltimore County. The Justices before whome such Examinations & Depositions are taken being hereby directed to bind over to the Provinciaall Court (for prosecution &^{ca}) all such persons as they shall find to have offended in either of the foregoing matters together with the Evidences to prosecute them; and th^t the s^d Major Maxwell have the severall Examinations & Depositions (so taken as aforesaid) before his Ex^{cy} in Councill, at the Port of Annapolis, the first day of Decem^r next without faile; for all w^{ch} this shall be sufficient warrant, Given from the Councill Board, the day & year above written.

Signed p Ord^r Hen: Denton Cl Concil.

The Deposition of Michael Iudd aged fifty Seaven years declareth and saith that about the 15th day of October, Mary

Clark living by Susquehannah River did informe your Lib. H. D. Deponent that she saw the fFrench men that dwelt among the Seniquo's at John Han's house the same day a dealing with him, and M^r Nicholls did informe your Deponent that those fFrench men were the same men that hope to Cutt off a great many People in New England and a Town, but the name I know not. p. 605

Your Deponent being at Thomas Brownes house to buy some Rume of him, the said Brown & I saw one Richard Touchstone w^{ch} told me that Thomas Browne did the night that I was there hide him the said Nicholls from being known th^t he was in his house, for the said Thomas Brown had about 200 Gallons of Rume of the said Nicholls to sell for him, w^{ch} the s^d Brown did sell for M^r Nicholls, & further I cannot say.

Michael Iudd.

Annapolis Novem^r 22nd 1697.

Sworne before me Thomas Laurence.

1697 Govern^r of New York

Maryland Port Annapolis the 20th Novem^r 97 .

His Ex^{cy}s
Letter to the
Govern^r of
New York.

S^r

I have the favour of Your Ex^{cy}s of Aug^t the 30th & am heartily sorry that I cannot send your Ex^{cy} a Confirmation of the news concerning his Maj^{ty} West Indian Squadron; and we have had no vessells either from Europe or the West Indies: So tis a very mellancholly time with us for want of good news from those places: but I hope in God that we shall have it shortly.

What y^{or} Ex^{cy} writes about Coll^o Gibsons resetling Newfoundland I hope is quite done long before this as also that he hath beaten the French quite out of that Countrey; w^{ch} I think will be a good stepp towards routing them out of Cannada: from whence I hope your Ex^{cy} will meet wth no disturbance this winter so that you may not be again forced to make a dismall winter Campaign at Albany: Which to hear of, will be verry acceptable to your Ex^{cy}s most humble Servant

ffr: Nicholson

Neare one of our Garrisons by the falls of Potomock, one of the Souldiers was killed by Indians, his head, & one of his arms carryed away; which, with what was a litle before done in Virginia, by Indians hath very much alarmd these parts, And I have raised more men to strengthen that Garrison and

Lib. H. D. the Fronteirs: And I'm endeavouring to gett 200 Men on each Shore, to be in readiness: but tis verry difficult to raise men if not altogether impossible: The latter of w^{ch} I fear will be found by

ffr: Nicholson

p. 147 Govr of New
Yorks Letter
to his Ex^{cy} S^r

Having no news to offer yett I could not omitt the opportunity by M^r Antill going your way to acknowledge the favour of your correspondence

I am in dayly Expectation of the Earle Bellamonts arrivall w^{ch} is so late in the year th' it putts some inconveniency upon me as to the ordering the affairs of my ffamily the winter coming on & having neither house nor Land in the Government of my own to retire unto If there is anything wherein I can be serviceable to your Ex^{cy} in England I shall readily imbrace the opportunity of using my outmost endeavours to approve my selfe S^r

New Yorke
Novem^r the first
1697

Yo^r Ex^{cy}s most humble
Servant:
Ben: ffletcher.

Geo: Lewis
Comand^r of
the Shipp
Flyes Petition
to his Ex^{cy}
and Order
thereon.

Maryland, Port of Annapolis: Novem^r the 29th
1697 I having just now received the Petition of George Lewis Commander of the Ship ffly, a Copy whereof follows in these words Viz^t
To his Ex^{cy} ffancis Nicholson Esq^r Cap^t Gener^l & Govern^r in chief in & over his Maj^{ty}s Province & Territory of Maryland.

The humble Petition of George Lewis Marriner Sheweth

That your Petitioner by the death of Cap^{tn} Rob^t Roberts Comand^r of the Ship ffly, now riding in Leonards Creek in Petuxent River is become Master thereof.

That by one of the owners instructions he finds himselfe obliged to ship another Mate that may be a carefull sober man & th' understands the Guinea Trade & has a family in England else not proceed to Guinea but trade between Barbados & Maryland, till further orders Received from his said owners w^{ch} said instruction your Petitioner finds it morally impossible to be complied with for these following reasons.

1st Such a Mate enjoyn'd to be shipt not being to be had; he knows not any way or means whereby to purchase a proper loading to go to the Barbados with having neither credit nor effects sufficient wherewithall to do it, besides the Ship is indebted above 240^{lb} for Seamens wages w^{ch} if your Petitioner should carry the Ship to Barbados, must necessarily be paid there, and for want of effects and creditt to discharge

the same would occasion the Sale of the Vessell and over- Lib. H. D.
throw the Voyage.

2nd Your Petitioner being wholly a stranger in the Countrey cannot possibly give the security the officers require for complying with the laws of the Countrey having apply'd himselfe to severall persons that are concern'd with the owners who all of them refuse saying they have no such orders, for w^{ch} said reasons he is advised by all persons th^t knows his case & that are well wishers to the Owners for to proceed the Voyage for which the men are Shipt & are willing to go & to desist going to Barbados, he having got a Mate that understands the other Voyage, & is every way qualified except his p. 148
having a family in England. All w^{ch} y^{or} Petitioner humbly lays before your Ex^{cy} in behalfe of the owners & th^t you would favourably pleased to give such Order to the Officers for his dispatch as to your Ex^{cy}'s wisdom and prudence shall seem meet; he being ready and willing to satisfy all manner of duties fees & other charges by way of goods he having no ready money, and his own bills being refused for discharge thereof; w^{ch} being granted.

Your Petitioner shall ever pay &^{ca}
George Lewis.

And if you find the said Petition to be true, you are to take the said George Lewis own bond (in behalf of the owners of the said Ship ffly) for performance of the laws of the Countrey & duties &^{ca} He not designing to load any tobacco w^{ch} you are to take care that he comply wth, so there will be no occasion for his giving a navigation Bond; And if it appear to you that it will be for the owners advantage th^t he draw Bills upon them to pay the Countrey duties fees &^{ca} you take the said Bills; And for doing these things this shall be your sufficient warrant & authority;

Given under my hand and Seale the day and year above written

To Peter Jennings Esq^r his Maj^{ty}'s ffr: Nicholson [Seale]
Collector of Patuxent district
and

To M^r Sam^l Watkins Navall
officer of the same.

These

New York the 7th 1697.

Yesterday arrived here a Bark belonging to Road Island who brought in a prize wth her w^{ch} she took on the Banks of Newfound Land the prize is 150 Tunns hath some Salt & fish on board, the Master of the aforesaid Barque says th^t

Lib. H. D. about a month agoe, they spoke wth the Russell Galley on the Banks who told them that Collonⁿ Gibson was arrived at Newfoundland with twelve Men of Warr and was settling the fishery again, that the Russell Galley in her Course had taken tenn prizes and sent them to Newfoundland.

The aforesaid News came by the Post.
to Philadelphia 21st of 7^{mr} 1697.

p. 149 Lords of the
Council for
Trade &c
Letter to his
Ex^{cy} for Pro-
claiming the
peace.

S^r

By Ord^r of their Ex^{acys} the Lords Justices we send you herewithall the Proclamation for Publishing the Peace lately concluded between his Maj^{ty} and the French King; upon the receipt whereof you are required forthwith to cause the same to be solemnly published, in the usual places within his Maj^{ty} Territories within your Government; And to give notice to all Privateers and Commanders of Ships throughout your said Government, to cease Hostilities with the French Kings Subjects, according to the Tenour of the said Proclamation. So we bid you heartily farewell.

Whitehall
Octob^r the 27th 1697.

Maryland.

Your very Loving friends
I Bridgewater
Ph: Meadows
John Pollexfen
John Lock
Abr: Hill
George Stepney

By the Lords Justices

A Proclama-
tion for pub-
lishing the
Peace

A Proclamation

For publishing the peace between his Majesty & the French King. Tho: Cantuar F. Sommers C. Sunderland, Dorset, Romney, Oxford Whereas a Peace hath been treated & concluded at his Majestys Royal Palace at Reswick, the tenth day of September last, between his Majesty and the French King; and the Ratifications thereof hath been since Exchanged, in Conformity thereunto we have thought fit hereby to command that the same be published throughout all his Majesties Dominions, And we do hereby declare that all Ships, Merchandizes, and other moveable goods whatsoever, w^{ch} have been or shall be taken from the Subjects of the French King after the two and twentieth of September last in the British and North Seas; After the 22th of this instant Octob^r from the said British and North Seas as far as the Cape S^t Vincent; After the 19th of Novem^r next ensuing beyond the said Cape S^t Vincent on this side the

Æquinoctial line or Æquator, as well in the Ocean and Medi- Lib. H. D.
terranean Sea, as elsewhere; And lastly, after the tenth of
March next ensuing beyond the said Line throughout the
whole World without any exception or distinction of time or
place, and without any form of Process, shall immediately,
without damage, be restored to the Owner, according to the
said treaty. And hereof all his Majesties Subjects are hereby
Required to take notice, and to conform themselves thereunto
accordingly.

Given at the Court at Whitehall the 18th day of October,
1697, in the ninth year of his Maj^{ty} Reign

God Save the King.

A Commission
for Adminis-
tring an Oath
to the Gov-
ernor of the
Province of
Maryland.

William the third by the Grace of God of Eng- P. 150
land Scotland France and Ireland King Defender
of the faith &^{ca}

To our trusty and wellbeloved S^r Thomas
Laurence Baron^{te} Edward Randolph: Henry
lowles: George Robotham: James ffrisbey, John Addison:
Thomas Brookes Edward Chilton George Muschamp and
Phillip Clarke Esq^r or any five or more of the members of
the Council in our Province of Maryland for the time being
Greeting. Whereas by one clause in an act of Parliament,
made in the eighth and ninth years of our reigne Entituled an
Act for making good the deficiencies of severall funds therein
mentioned and for enlarging the Capital Stock of the Banck
of England and for raising the publick Creditt. It is recited.
That Whereas by an Act of Parliament made in the seaventh
& eighth years of our Reigne Intituled an act for preventing
frauds and regulating abuses in the Plantation trade It is
amongst other things therein enacted That all the present
Governours & Comānders in chief of any English Collonies
and Plantations shall before the five and twentieth day of
March 1697, And all who shall be made Governours or
Comānders in chief of the said Collonies or Plantacōns or any
of them before the entring into their Governments shall take
a Sollemne Oath to doe their utmost that all the clauses
matters & things conteined in one act of Parliament made in
the twelfth year of the reigne of the late King Charles the
second. Intituled an Act for encouraging and increasing of
Shipping and Navigation, And one other act made in the
fifteenth year of his s^d late Maj^{ty} reigne Intituled an act for
encouragement of trade and also the said act made in the 7th
& 8th years of our reigne Intituled an act for preventing
frauds and regulating abuses in the Plantation trade be
punctually and bona fide observed according to the true
intent & meaning thereof so farr as appertaines to the said

Lib. H. D. Governours or Comānders in chief respectively. And whereas the persons appointed to Administer the said Oath were by some accidents prevented from performing the same within the time limmitted by the said Act

To the end therefore that the good intent of the said Act might not be disappointed for want of time to putt the same in execution It is by a clause in the said Act made in the 8th and 9th years of our Reigne intituled an Act for making good the deficiencies of several funds & for enlarging the Capital stock of the Banck of England, And for raising the publick credit, Enacted that further time should be allowed for administring the said Oath. And that all the present Governours and Comānders in Chief of any English Collonies or Plantations shall before the 25th day of March 1698, And who shall hereafter be made Govern^r or Comānders in Chief of the said Collonies or Plantations or any of them shall at their entrance upon their respective Governments or within the space of six months after the same take a sollemne Oath to doe their utmost that all the clauses matters & things con-
 p. 151 teyned in the before recited act of Parliament or any of them heretofore passed and now in force relating to the said Collonies & Plantations be punctually and bona fide observed according to the true intent and meaning thereof Which Oath by the last recited act is directed to be taken before such persons as we our heires & Successors shall appoint. We therefore reposing especiall trust & confidence in you doe hereby appoint & authorize you the said S^r Thomas Laurence Edward Randolph Henry Iowles George Robotham James ffrisbey John Addison Thomas Brookes. Edward Chilton George Muschamp & Phillip Clarke or any five or more of the members of the Council in our Province of Maryland for the time being or any three or more of you to administer the following Oath to the Governor or Comānder in Chief of our said Province of Maryland. And in case of the absence death or removall of so many of you the Commissioners that there are not a sufficient number remaining to administer the said Oath Our further will & pleasure is that any three or more of the Council in the said Province for the time being shall be and are hereby appointed and impowered to administer the said Oath to the Govern^r or Comānder in chief in the said Province for the time being. In Wittness whereof we have caused these our Letters to be made Pattents Wittnesses Thomas Arch Bishop of Canterbury and the rest of the Guardians and Justices of the Kingdome at Westminster the thirtieth day of Aprill in the ninth year of our Reigne.
 Trevor Dauling.

I. A. B. Governor of the Province of Maryland in America Lib. H. D.
doe solemnly swear to doe my utmost that all the matters & things contained in an Act of Parliament made in England in the twelfth year of the reigne of his late Majestie King Charles the second Intituled an Act for encourageing and increasing of Shipping & Navigation, And one other Act made in the fifteenth year of his said late Majesties reigne Intituled an Act for the encouragement of trade, And the Act made in the 7th & 8th years of his present Maj^{ties} reigne intituled an Act for preventing ffrauds and regulating abuses in the Plantation trade and also all other acts which have been made for the better regulating & securing the Plantation trade shall be punctually and bona fide observed according to the true intent & meaning thereof, so farr as appertaines to me the Governor of the said Province of Maryland So help me God.

Tho: Cantuar, Shrewsbury, Sunderland, Romney.

Instructions to
the Governour
of Maryland.
For putting
the severall
Acts of trade
in force.

Orders and Instructions to be observed by Fran^s Nicholson Esq^r his Ma^{ties} Governour of the Province of Maryland in America and by the Governour there for the time being in pursuance of severall Laws relating to the Trade & Navigacō of this his Ma^{ties} Kingdome of England and the Collonies and Plantations in America.

First You shall inform yourself of the Principall Laws relating to the Plantation trade, Viz^t The Act for encouraging & encreasing of Shipping and Navigation made in the 12th year of the Reigne of King Charles the second. The Act for preventing frauds & regulating abuses in the Customes made in the 14th year of the s^d Kings Reigne. The Act for the Encouragement of trade made in the 15th year of the said Kings Reigne.

The Act for regulating the Plantation trade made in the 22nd p. 152 & 23^d year of the said Kings reigne. The Act for encouragement of the Eastland & Greenland Trades and better secureing the Plantation trade made in the 25th year of the said Kings reigne. And the act for preventing frauds and regulating abuses in the Plantation trade made in the 7th & 8th year of his present Majesties Reigne. All w^{ch} laws you will herewith receive. And you shall take a Solemn Oath to doe y^{or} utmost th^t all the clauses matters & things contained in the before recited Acts of Parliament heretofore passed and now in force; relating to his Maj^{ties} Collonies and Plantations be punctually and bona fide observed according to the true intent and meaning thereof.

Secondly. And as by the last recited Acts the Officers

Lib. H. D. appointed by the Governoⁿ for performance of certain things mencōned in the afores^d act for the Encouragement of trade comōnly known by the name of Navall Officers are to give security of the Comⁿ of the Customs in England for the time being or such as shall be appointed by them for his Maj^{ties} use for the true and faithfull performance of their duty. You shall take care that the persons by you so employed do not only give such security to the s^d Com^{iss}ⁿ of the Customs but be approved of by them in manner as thereby is enjoyned.

Thirdly. Whereas by the said Act of Navigation no Goods or Commodities w^{soever} are to be Imported into or exported out of any of the Colonies or Plantacōns in any other Ships & Vessels w^{soever} but in such as doe truly & without fraud belong only to the people of England or Ireland or are of the built of and belonging to any of the Lands Islands or Territories as the proprietors and right owners thereof and whereof the Master and 3 fourths of the Marriners at least are English under the penalty of the forfeiture and loss of all the Goods and Comōdities w^{ch} shall be imported into or exported out of any of the s^d Places in any other Ship or Vessell, as also of the Ship or Vessell with her Guns furniture &^{ca} And whereas by a clause in the aforesaid act of frauds no forreign Built Ship (that is to say) not built in any of the Dominions of Asia Affrica or America, or other then such as shall bona fide have been bought before the first of October 1662 and expressly named in the list thereby appointed to be made of all forreign built Shippes in all the Ports of England shall enjoy the Priviledge of a Ship belonging to England or Ireland altho own'd or mann'd by English (Except such Ships only as shall be taken at Sea by Letters of Mart or Reprizall & Condemnation made in the Courts of Admiralty as lawfull prize) but all such Ships shall be deem'd as aliens Ships and be liable to all duties that aliens Ships are liable by virtue of the aforesaid Act for the Encourageing & increasing of Shipping & Navigation. And whereas by a clause in the afores^d Act for preventing frauds and regulating abuses in the Plantation trade 'Tis Enacted th' after the 25th of March 1698 No goods or Merchandizes w^{soever} shall be imported into or exported out of any of his Maj^{ties} Colonies or Plantacōns in Asia Affrica or America or shall be laden in or carryed from any one Port or place in the said Colonies or Plantations to any other Port or place in the Kingdom of England, Dominion of Wales or Town of Berwick upon Tweed in any Ship or bottom but what is or shall be of the built of England or of the built of Ireland, or of the said Colonies or Plantations and wholly own'd by the people thereof or any of them & Navigated wth the Master & 3 fourths of the Marriners of the said places

p. 153 only (except such Ships only as shall be taken prize & condem-

nation thereof made in one of the Courts of Admiralty in Eng- Lib. H. D.
land Ireland or the said Colonies or Plantations to be Navigated by the Master and 3 fourths of the Marriners English or of the said Plantations as aforesaid and whereof the property doth belong to English men with an exception for 3 years to such foreigne Ships as shall be imployed by the Comissⁿ of the Navy for the time being or upon contract with them in bringing only Masts Timber and other Navall stores for his Maj^{ties} Service from the said Colonies or Plantacōns to this Kingdom to be Navigated as aforesaid, & whereof the property does belong to Englishmen on the pain of forfeiting the Ship and goods. And whereas by another clause in the said act for the more effectuall preventing of frauds which may be used by coulouring forreigne Shipps under English names 'Tis further Enacted that from and after the 25th March 1698 No Ship or Vessell whatsoever shall be deemed or pass as a Ship of the built of England, Ireland, Wales, Berwick, Guernsey, Jersey or any of the Plantations in America so as to be qualified as to trade to from or in any of the said Plantations untill the Person or Persons clayming property in such Ships or Vessells shall Register the same in manner thereby appointed. You shall take care & give in charge, that these matters and things be duly observed within his Ma^{ties} said Province of Maryland according to the true intent and meaning of the said acts & the offences and offenders prossecuted according to the directions thereof And where it is required that the Master & 3 fourths of the Marriners be English. You are to understand, That the true intent & meaning thereof is that they shall be such during the whole Voyage unless in case of Sicknes death or being taken Prisoners in the Voyage to be proved by the Oath of the Master or other Cheif Officer of the Ship, and none but his Maj^{ties} Subjects of England Ireland or the Plantations are to be accounted English.

Fourthly. Whereas by the said Act of Navigacōn 'Tis further Enacted that for every Ship or Vessell w^{ch} shall set Saile out of or from England, Ireland, Wales or Berwick upon Tweed for any English Plantation in America Asia or Affrica Sufficient bond shall be given with one surety to the Chief Officers of the Customs of such Port or place from whence the s^d Ship shall set saile to the vallue of 1000^{lb} if the Ship be of less burthen then 100 Tuns, and of the Sum of 2000^{lb} if the Ship shall be of greater burthen, That in case the said Ship or Vessell shall load any of the comodities therein Enumerated Viz^t Sugar, Tobacco, Cotton, Wooll, Indico, Ginger, Fustick, or other dying wood of the growth production or manufacture of any English Plantation in America Affrica or Asia at any of the said English Plantations, That the same Comōdities shall be

Lib. H. D. by the said Ship brought to some Port of England, Ireland, Wales, or to the Port or Town of Berwick upon Tweed, and be there unloaden & put on Shoar the danger of the Seas only excepted. And for all Shipps coming from any Port or place to any of the afores^d Plantacōn who by this Act are permitted to trade there That the Govern^r of such English Plantations shall before the said Ship or Vessell be permitted to load on Board any of the said Comodities take bond in manner & to the vallue aforesaid for each respective Ship or Vessell That such Ship or Vessell shall carry all the aforesaid Goods that shall be Loaden on Board the said Ship to some other of the English Plantations, or to England, Ireland, Wales, or Berwick and that every Ship or Vessell w^{ch} shall Load or take on board any of the afores^d Goods untill such bond be given to the s^d Govern^r or Certificate produced from the Officers of any Custom house of England, Ireland, Wales, or Berwick th^t such Bond hath been there duly given shall be forfeited wth her Guns, Tackle Aparell and furniture to be employed & recovered as therein is directed. You are to take notice that tho by the s^d Act the word (Ireland) is to be inserted in the Condición of the Bonds & permission thereby given to bring

p. 154 the Enumerated Plantacōn Comodities to Ireland as well as to England Wales or Berwick yet by the afores^d Act for regulating the Plantation trade w^{ch} being expired was revived and is now in force the word (Ireland) is to be left out of the Condition of such Bonds. And you are not to permitt any Ships or Vessells to Load any of the Enumerated Goods upon any Certificates of Bond having been given in Ireland, but in that case before they lade any of the said goods they are to produce Certificates of bond given in England, Wales or Berwick under the hands & Seales of the Customer & Comptroller of the Customs or their Deputies in such Port from whence the respective Ships shall come Signed also by four or more of Comiss^{rs} of the Customes in England or to give Bond to your self or the person appointed to receive the same with good security as aforesaid. And if any Ship or Vessell shall Load or take on Board any of the said Comodities until such Bond given or Certificate produced. The said Ship or Vessell is forfeited wth her Guns &^{ca} to be recovered & divided in manner as is therein directed.

Fifthly You shall carefully examine all Certificates w^{ch} shall be brought to you of Ships giving security in this Kingdom to bring their ladings of Plantation goods hither, as also Certificates of having discharg'd their lading of Plantation goods in this Kingdom pursuant to their security and where there shall be reasonable ground of suspition that the Certificate of having given security in England is false, in such case you or the person appointed under you shall require and take

sufficient security for the discharge of the Plantation lading in the Kingdom of England Dominion of Wales & Town of Berwick upon Tweed. And where there shall be cause to suspect that the Certificate of having discharged the Lading of Plantation goods in this Kingdom is false or counterfeit you shall not cancell or Vacate the security given in the Plantations until you shall be informed from the Commiss^r of the Customs in England th^t the matter of the said Certificate is true. And if any Person or Persons shall counterfeit rase or falsify any such Certificate for any Vessell or Goods or shall knowingly or willingly make use thereof, you shall prosecute such person for the forfeiture of the Sum of 500^{lb} according to a clause in the aforesaid Act for preventing frauds and regulating abuses in the Plantation Trade. Lib. H. D.

And pursuant to the said Act you shall take care that in all such Bonds to be hereafter given or taken in the Plantations Viz^t in the Province of Maryland the sureties therein named be persons of known residence and ability therefore the value mentioned in the said Bond, and that the Condition of the said Bond be within 18 months after the date thereof (the danger of the Seas excepted) to produce Certificate of haveing landed and discharged the goods therein mentioned in one of his Maj^{ties} Plantations in the Kingdom of England otherwise to attest the Coppy of such Bonds under your hand and Seale and to cause prosecution thereof.

Sixthly You are to understand that the payment of the Rates & duties imposed by the aforesaid Act for the Encouragement of the Eastland & Greenland trades and for the better securing the Plantation trade on the severall Plantation Commodities therein Enumerated doth not give liberty to carry the said goods to any other place then to some of the Plantations or to England, Wales or Berwick only And th^t notwithstanding the payment of the said Duties Bond must be given to carry the said goods to some of the said Plantations or to England Wales or Berwick and to no other place. P. 155

Seaventhly You shall every three months or oftner or otherwise as there shall be opportunity of Conveyance transmit to the Commiss^r of the Customs in England a List of all Shipps and Vessells trading within the Province of Maryland according to the form & specimen herewith sent to you. And you shall cause demand to be made of every Master at his clearing of an Invoyce of the contents and quality of his lading &^{ca} according to the form herewith sent to you. And to enclose a Copy thereof by some other Ship or for want of such opportunity by the same Ship under cover Sealed and directed to the said Commiss^r of the Customs in England. And send another Copy thereof in like manner to the Col-

Lib. H. D. lector of that Port in England for the time being to w^{ch} such Ship shall pretend to be bound.

The above written form and specimen you will find written on the other side.

Eighthly. Whereas by the aforesaid Act for the Encouragement of trade no Commodities of the growth production or manufacture of Europe except Salt for the fishery of New England & Newfoundland wines of the growth of Maderas or Western Islands or Azores Servants & Horses from Scotland or Ireland and all sorts of vittalls of the growth and production of Scotland & Ireland shall be imported into any of the Colonies or Plantations but what shall be bona fide and without fraud laden & Shipt in England Wales or Berwick and in Ships duly qualified, you shall use your utmost endeavor for the due observance thereof, and if contrary hereunto any Ship or Vessell shall import into the Province of Maryland any Commodities of the growth production or manufacture of Europe, (but what are before excepted) of which due prooffe shall not be made that the same were shipt or laden in some Port of England, Wales, or Berwick by producing Cockquets or Certificates under the hands and Seales of the Officers of Customs in such Port or place where the same were laden such Ship or Vessell goods will be forfeited. And you are to give in charge that the same be seized and prosecuted accordingly.

Ninthly. And in order to prevent the acceptance of forged Cockquets or Certificates w^{ch} hath been practiced to his Maj^{ties} great prejudice you are to give effectuall orders th^t for all such European goods as by the s^d Act are to be Shipt & Laden in England Wales or Berwick Coquetts for the same from hence to be produced to the Collectors or other Officers of the Customs in the Province of Maryland for the time being before the unlading thereof, and you shall give order that no European goods be landed but by warrant from the said Collector in the presence of an Officer appointed by him. And for the better prevention of frauds of this kind. You shall take care that according to the s^d Act of trade no Ship or Vessell be permitted to lade or unlade any Goods or Commodities whatsoever untill the Master or Commander thereof shall first have made known to you or such Officer or other pson as shall be thereunto authorized & appointed the arrivall of the s^d Ship or Vessell wth her name, & the name & Sirname of her Master and hath shewn th^t that she is a Ship duly navigated and otherwise qualified according to law & has delivered to you or such other pson a true & pfect Inventory of her Lading together wth the place or places in w^{ch} the s^d goods were laden & taken into the said Shipp or Vessell under forfeiture of such Shipp and Goods.

A form of Entry according to wch a List of all Ships trading to and from any of his Majties Plantations in America being Registered pursuant to the directions of the late Act of Parliament to be transmitted to the Commⁿ of his Majties Customs in London.
Name of Plantacōn or Port. Entering Inward at the Plantations.

Time of Importacōn | Ships name of | Mar's Name | kind of | Burthen | where & when | Owners | General | from whence | where and when
| what place | | built | built | registered | Names | Cargo | Bond given

Clearing outward from the Plantations Qære the 17th Article

Time of Clearing | Ships name | Mar's name | kind of | Burthen | when & where | when & where | Owners | Quantity of Plantacōn | Whither | where and when
| & place | | Built | Built | Built | Registered | names | Cargo Specified | bound | Bond given

In the Register of Prize Ships the Capture & Condemnation must be also specially mentioned instead of the time and place of building. Lists of all Ships trading to or from the Plantations or from one Plantation to another to be prepared quarterly by the Collector of the Customs and the Naval officer in the respective Plantations in order to be transmitted to the Commⁿ of his Majties Customes by the first opportunity of shipping every Quarter.

Maryland.

A List of All Ships & Vessells that have Entered and Cleared in Patuxent District in his Majties Province of Maryland.

Ships & Vessells Names	of what place	Of what built and Quality	Tuns	Guns	from what place	Masters name	Bond given in the Plantacōn	when Entered	Certificate of Bond given in England what Port & Date	When cleared	Their Lading		
											hlds Tob in Cask	Pounds in Bulk	Whither Bound
Katherine	Rapahannock	Eng. Briganteen	40		London & Nevis	John Scott	1 Sterling	Augt. 31 94		June 8 95	130		London
Judith & Eliza	Ditto	Foreign made free sloop	25		Bristol	Rd. Bramham	1000	Feb. 28 94 15		June 14 95	15		Barbados
Maryland Merch's	Bristol	Foreign made free sloop	230	4	Ditto	Rd. Burges	1000	Apr. 11 95	Bristol 9th of November 95	June 10 95	471	75,000	Bristol

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Lib. H. D. Maryland.
Port
Annapolis

An Invoyce of Tobacco &^{ca} On board the Ship
Swan of Bristoll Thom^s Grant M^r Bound to the
Port of Bristoll.

Marks	Numbers	Contents	Quantity	Freighters names	To whom Consigned.
AB	from 1 to 30	700	30	John Paine	Recd Smart
R A P	from 7 to 20	450	13	Tho: Grant	on his own
E O S	from 1 to 70	one with } another } 500	70	John Short	Accot on the Ships accot

March 15th 1696/7
Thom^s Grant Ma^r

Tenthly. You shall not make or allow of any by Laws usages or Customs in the Province of Maryland w^{ch} are repugnant to any of the laws herein before mentioned or any of them so farr as they do relate to the s^d Plantacōns or any of them or any other Law hereafter to be made in this Kingdom so farr as such law shall relate to and mention the said Plantations, But you shall declare all such laws by laws usages or customs in the Province of Maryland w^{ch} are anywise repugnant to the before mentioned Law or any of them to be illegall null and voyd to all intents and purposes w^{soever}.

Eleventhly. You shall be aiding and assisting to the Collector & other Officers appointed or th^t shall hereafter be appointed by the Comⁿ of the Customs in England by & under the Authority and directions of the Lord high Treasurer of England or Comⁿ of the Treasury in England for the time being in putting in Execution the severall acts of Parliament before mentioned. And you shall cause due prosecution of all such persons as shall anywaies [hin]der or resist any of the said Officers of the Customs in the performance of their duty.

p. 158 Twelfthly. You shall take care th^t upon any actions Suits or Informations that shall be brought comēced or entred in the s^d Plantations upon any law or statute concerning the duties or Ships or goods to be forfeited by reason of any unlawfull importacōns or Exportacōns there be not any Jury but such as are natives of England or Ireland or are born in any of the said plantations.

Thirteenthly. If you shall discover that any persons or their assignes clayming any right or property in any Islands or tracts of Land upon the continent of America by Charter or Letters Pattents shall at any time hereafter alien Sell or dispose of any of the s^d Islands Tracts of Land or Properties

other then to his Maj^{ties} naturall born subjects of England Ire-
land or Wales or Berwick wthout the lycence and consent of
his Maj^{ty} his heires & Success^{rs} signified by his or their order
in Council first had & obtained. You shall give notice
thereof to His Maj^{ty} or to the Lord high Treasurer of Eng-
land or Com^r of the Treasury in England for the time being.

Lib. H. D.

Fourteenthly. You shall take care that all places of trust
in the Courts of law or what relates to the Treasury of the
Province of Maryland be in the hands of the native born Sub-
jects of England or Ireland or the Plantations.

Fifteenthly. And that there may be no interruption or
delay in matters of prosecution & Execution of Justice in
the Courts of Judicature within the Province of Maryland by
the death or removal of any of the Officers imployed therein
untill his Maj^{ty} can be advised thereof and appoint others to
succeed in their places you shall make choice of persons of
known loyalty Experience diligence and fidelity to be employed
for the purposes aforesaid, untill you shall have his Majesties
approbation of them or the nomination of others from hence.

Sixteenthly. You shall from time to time correspond with
the Comiss^{rs} of the Customs in England for the time being &
advise them of all failures neglects & frauds or misdemea-
nours of any of the Officers of the Customs in the said Prov-
ince of Maryland & shall also advise them as occasion shall
offer of all Occurrences necessary for their Information re-
lating either to the aforesaid Laws of trade & Navigation &
the Revenue of Customs and other duties under their man-
agement both in England and the Plantations.

Seaventeenthly. Whereas by the aforesaid Act for prevent-
ing frauds & regulating abuses in the Plantation Trade 'Tis
provided for the more Effectuall prevention of ffrauds w^{ch} may
be used to elude the intention of the said Act by Coulouring of
forreign Ships under English names that from & after the 25th
March 1698. No Ship or vessell shall be deemed or pass as a
Ship of the built of England, Ireland Wales, Berwick, Guernsey,
Jersey, or any of the Plantations in America so as to be quali-
fied to trade to from or in any of his Majesties said Plantations
untill the Person or psons clayming property in such Ship or
Vessell shall Register the same in manner thereby directed.
You shall take care that no forreign built Ship be permitted
to pass as a Ship belonging to the Kingdom of England Ire-
land, Wales or Town of Berwick upon Tweed until prooffe be
made upon Oath of one or more of the Owners before the
Collector & Comptroller of the Customs in such Port to w^{ch}
she belongs, or upon like proof before your self wth the princi-
pall Officer of the revenue resideing in the Province of Maryland
If such Ship shall belong to the said Province of Maryland

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Lib. H. D. which Oath you & the Officers of the Customs respectively are authorised to Adminster in manner thereby directed, and being attested by you and them so adminstring the same & registred in due form according to the specimen hereunto annexed. You shall not faile immediately to transmitt a duplicate thereof to the Comiss^r of the Customs in London in order to be entred in a Generall Register to be there kept for that purpose with penalty upon every Ship or Vessell trading to from or in any of the said Plantations in America after the said 25th day of March and not having made prooffe of her built & property as thereby directed That she shall be liable to such prosecution & forfeiture as any forreigne Ship (Except Prizes condemned in his Maj^{ties} high Court of Admiralty) would for trading with the Plantations by the said law be liable unto, with this proviso That all such Ships as have been or shall be taken at Sea by Letters of Mart or Reprisall & Condemnation thereof made in the High Court of Admiralty of England as Lawfull prize shall be specially Registred mentioning the Capture and Condemnation instead of the time & place of building with prooffe also upon Oath That the entire property is English before any such prize be allowed the Priviledge of an English built Ship according to the meaning of the said Act. And that no Ships name Registred be afterwards changed wth out Registring such Ship de Novo w^{ch} by the said Act is required to be done upon any Transfer of property to another Port & delivering up the former Certificate to be Cancelled under the same penalties & in the like Method. And in case any alteration of Property in the same Port by the Sale of one or more shares in any Ship after Registring thereof such sale shall allwayes be acknowledged by endorsement on the Certificate of Register before two wittnesses in order to prove that the intire property in Such Ship remaines to some of the Subjects of England if any dispute shall arise concerning the same.

Eighteenthly. And whereas notwithstanding the many good laws made from time to time for preventing of frauds in the Plantation trade w^{ch} have been enumerated in these & former instructions, It is manifest that verry great abuses have been and continue still to be practised to the prejudice of the same, which abuses must needs arise either from the insolvency of the persons who are accepted for security or from the remissness or connivance of such as have been or are Governours in the severall Plantations who ought to take care that those persons who give Bond should be duly prosecuted in case of nonperformance.

You are to take notice that his Majestie takes the good of the Plantations and the Improvement of the Trade thereof by a strict and punctuall observance of the severall Laws in force

concerning the same to be of so great importance to the benefit of England & to the advancing of the Duties of the Customs here That if his Maj^{ty} shall be hereafter informed that at any time there shall be any failure in the due observance of these present Instructions by any willfull fault or neglect on your part his Maj^{ty} will looke upon it as a breach of the trust reposed in you, which his Majesty will punish wth the loss of your place in that Government and such further marks of his Royall displeasure as he shall judge reasonable to be inflicted on you for your Offence in a matter of this consequence that you are now so particularly charged with. Lib. H. D.
p. 160

By their Ex^{as} Command

Cha: Montague

Step^{hn} ffox

T Smith

Tho: Littleton

T: Pelham.

By the Commiss^{ns} for Executing the Office of Lord high Admirall of England Ireland &^{ca}

Com^{ns} of the Admiralties power to his Ex^{as} for Constituting Admiralty Officers in Maryland.

Whereas in pursuance of his Majesties pleasure signified to us by the R^{ts} honorable M^r Secretary Trumball, we have appointed S^r Thomas Laurence Barronnett, to be Judge, M^r Henry Denton Register M^r Thomas Collier Marshall and M^r Edward Chilton advocate of the Vice Admiralty of the Collony of Maryland. You are therefore, hereby empowered and directed to give unto them Com^{ms}issions for their said Employments respectively; and in case of the death, or inability by sickness, or otherwise, of any of the said persons, you are to appoint others in their roome, and transmitt to uss the names of such persons as you do so appoint, Dated at the Admiralty Office this 29th of Aprill 1697.

To His Majesties Govern^r
of the Colony of Maryland
for the time being.

Russell
G Rooke
In^o Houblon
Kendall

By Command of their Lord^{shps}

W^m Bridgeman.

Lib. H. D. William the third By the Grace of God King of England
p. 161 Scotland, France and Ireland Defender of the Faith &c^a

Letters Patents
to the Govern^r
of Maryland
to appoint
Judges
Registers &
Marshalls &
advocates of
the Courts of
Admiralty of
Maryland
Pensilvania
and West
Jersey.

To our Wellbeloved Francis Nicholson Esq^r our present Governour of Maryland in America and to the Governor of Maryland for the time being Greeting. Whereas wee think it necessary that for the preventing of a failure of Justice, as well in the respective Courts of Admiralty in the Province under our immediate Authority in the West Indies as in the severall proprieties contained in the Comissions to the Governor of the said Province for want of proper Officers to manage those matters upon any present vacancy or the death or legall disability of those who are in present possession of those employments, the said Governor should in such case be impowered to appointed Judges Registers Marshalls and Advocates not only in the Admiralty Courts of their own Governments, but also in those of the Proprieties w^{ch} are nearest to the same, And Wee being desirous that Justice should be duly administered in all the Provinces and places under our immediate Authority in the West Indies & also in the severall proprieties contained in the Comissions to the Govern^r of the said Provinces and by these our Letters Pattents or Comission particularly to provide for our Courts of Admiralty of Maryland Pensilvania and West Jersey, have thought fit to impower, and doe by these presents committ & grant unto you Our present Governour of Maryland, and to our Governor of Maryland for the time being full power and Authority to appoint Iudges, Registers, Marshalls, and Advocates, for our Admiralty Courts of Maryland Pensilvania and West Jersey upon any present vacancy of any of those offices or when there shall happen any either by the death or legall disability of those who are or shall be in possession of the same. And wee do hereby require you Our present Governor of Maryland, and our Governour of Maryland for the time being to transmitt as soone as possible you can to our Lord high Admirall of England or to our Commissioners for executing the office of Lord high Admirall of England for the time being the names of the respective persons w^{ch} you shall at any time appoint to the Officer aforementioned in the said Admiralty Courts in Order to their being approved or disallowed of In Witness whereof wee have caused the great Seale of our high Court of Admiralty of England to be hereunto fixed. Given at London in our said Court the six and twentieth day of June in the year of our Lord God one thousand six hundred ninety Seaven, and in the ninth year of our reigne.

Orlando Gee Reg^r

Gulielmus Tertius Dei Gratia Angliæ Scotiæ Franciæ et
Hiberniæ Rex fidei defensor &c

Lib. H. D.
p. 162

A Commission
constituting
Mr Wm Rod-
ney to be
Register of
the Court of
Admiralty of
Pensilvania
&c.

Omnibus ad quos hæ presentes Literæ nostre Patentes pervenerint Salutem sciatis nos pro et in consideratione boni veri et fidelis Servitii per Gulielmum Rodeny Generosum nobis ante hac impensi et imposterum impendendi, ac ex certis alijs et legitimis causis Nos in hac parte moventibus dedisse concessisse et confirmasse prout per presentes damus concedimus et confirmamus eidem Gulielmo Rodeney Officium Registrarij ac Scribatus et Registrariatus actorumq Causarum & Negotiorum quorumcunque in Curia Nostra Admiralitatis infra Pensilvaniam et tres Comitatus inferiores et Cæsaream Occidentalem (Anglice West Iersey) in America tam ex officio mero mixto vel promoto quam ad alicujus partis instantiam motorum seu movendorū Nec non custodiam et conservationem Registri Scriniorumq querelarum actorum placitorum Munimentorum Librorum exhibitorum, introductorum et introducendorum in Causis quibuscumq in predicta Curia Nostra Admiralitatis Pensilvaniæ et trium Comitatum inferiorum et Cæsareæ Occidentalis pred institutis sive instituendis una cum Omnibus et singulis feodis Salarijs Proventibus, Regardis juribus proficuis et comoditatibus, emolumentis et pertinentijs quibuscunq eidem Officio Registrarij ac Scribatus et Registrariatus actorum Causarum et negotiorum quorumcunq spectantibus et pertinentibus seu quovismodo debitis et consuetis Ipsumq Gulielm^m Rodeney prædictæ Curiae Nostræ Admiralitatis Pensilvaniæ et trium Comitatum inferiorum et Cæsareæ Occidentalis Registorem sive Registrarium Generalem et principalem ac Registri Scriniorumq munimentorum querelarum placitorum Librorum exhibitorum et exhibendorum omnium et singulorum quorumcunq in prædicta Curia Nostra Admiralitatis Pensilvaniæ et trium Comitatum inferiorum et Cæsareæ Occidentalis Actorumq causarum et negotiorum quorumcumque in eadem Curia ullo modo expediend Scribam et actuarium per præsentis præficimus constituimus et ordinamus. Habendum dictum Officium Registrarij Scribatus et Registrariatus Curiae Nostræ Admiralitatis Pensilvaniæ et trium Comitatum inferiorum et Cæsareæ Occidentalis prædict ante dicto Gulielmo Rodeney durante bene placito nostro tantummodo pacifice et quiete in forma prædicta per se vel Suffientem Deputatum sive Deputator suos sufficientes una cum omnibus et singulis premissis ac Omnibus singulis feodis Salarijs regardis proventibus Iuribus proficuis commoditatibus emolumentis ac alijs pertinentijs quibuscunq eidem Officio Regist^{oris} Scribatus et

Lib. H. D. Registrarius Actorumq causarum et negotiorum, ac Registri et Scriniorum præfatæ Curia nostræ Admiralitatis Pensilvaniæ et trium Comitatum inferiorum et Cæsareæ occidentalis prædict exhibitorum et exhibendorum omnium et Singulorum quorumcunq Custodis Spectan et pertinen una cum omnibus et singulis aliis commoditatibus proficuis et pertinentijs quibuscunq eidem Officio Scribæ Registoris Scribatus et Registrarius actorumq causarum et negotiorum custodis Registri prædictæ Curia nostra exhibitorumq et exhibendorum omnium et singulorum in eadem quorumcumq quovismodo pertinen devenien sive spectantibus In cujus rei Testimonium p. 163 Sigillum Magnum Supremæ Curia Admiralitatis nostræ Angliæ presentibus apponi fecimus Dat Londini in Curia nostra prædicta Vicesimo sexto die mensis Iunij Anno Domini Millesimo Sexcentesimo Nonagesimo Septimo Regniq Nostri Nono.

Orlando Gee Reg^{rius}

A Commission
Constituting
Mr Robt
Webb to be
Marshall of
the Court of
Admiralty of
Pensilva &c

Gulielmus Tertius Dei Gratia, Angliæ Scotiæ Franciæ et Hiberniæ Rex fidei Defensor &^{ca} Omnibus ad quos hoc præsens Scriptum pervenerit, Salutem Sciatis nos pro et in consideratione boni veri et fidelis servitij per Robertum Webb Generosum Nobis ante hac impensi et imposterum impendendi dedisse concessisse ac hoc præsentì Scripto nostro confirmasse prout per præsentès damus concedimus et confirmamus eidem Roberto Webb Officium Marescalli et Servientis ad Clavam Curia Admiralitatis Nostræ in Pensilvania et tribus Comitatus inferioribus et Cæsarea Occidentali (Anglice West Jersey) et partibus Maritimis eorundem et eisdem adjacentibus una cum omnibus et singulis feodis Salarijs proventibus juribus proficuis commoditatibus et pertinentijs quibuscunq eidem Officio Marescalli et Servientis ad Clavam Curia Admiralitatis nostra prædict quovismodo debitis spectantibus et pertinentibus Ipsumq Robertum Webb Marescallum et Servientem ad Clavam Curia Admiralitatis nostræ prædict ad omnia et singula eidem Officio spectantia fideliter faciendum exercend^m expediendum et exequendum præficimus constituimus Ordinamus facimus et Deputamus per presentes Habendum tenendum exercendum exequendum et occupandum dictum Officium Marescalli et Servientis ad Clavam dictæ Curia Admiralitatis Nostræ in Pensilvania et tribus Comitatus inferioribus et Cæsareæ Occidentali prædict et partibus Maritimis eorundem et eisdem adjacentibus eidem Roberto Webb durante bene placito nostro tantummodo libere et quiete per se vel Sufficientem Deputatum suum sive Deputatos suos sufficientes in tam amplo modo & forma

prout aliquis alius ante hac idem Officium Marescalli et Lib. H. D.
Servientis ad Clavam Curiae Admiralitatis nostrae praedictae
habuit, tenuit, exercuit, occupavit, vel gavisus fuit, una cum
Omnibus et singulis, feodis Salarijs proventibus juribus pro-
ficiis commoditatibus et pertinentijs quibuscunq eidem
Officio Marescalli et Servientis ad Clavam Curiae Admiralitatis
nostrae praedict quovismodo ab antiquo spectantibus debitis
et consuetis In cujus rei Testimonium Sigillum Magnum
Supremae Curiae Admiralitatis nostrae Angliae presentibus
apponi fecimus Dat Londini in Curia Nostra praedicta Vice-
simo sexto die mensis Iunij Anno Domini millesimo Sexcen-
tesimo Nonagesimo Septimo, Regnique Nostri nono.

Orlando Gee, Reg^{rius}

Nanjemy Novembe^r 31. 1697. p. 164

May it please your Ex^{acy}

Major Wm
Dent's Letter
to his Ex^{acy}
about the In-
dians in Vir-
ginia

I am this day advised that the Indians in Vir-
ginia are preparing a very great present for the
Governour of Virginia Viz^t. Every man a Beaver
skin and those that have none as much Roanok as
will purchase one and this tax is laid on all the In-
dians in these uper parts and my author says in the lower
parts also but that seems to me something improbable.

It seems to me by this that they have some knowledge of
our late Negotiation and the unneighbourly answers pray God
send the consequence better then expectation but the Omens
look ill. My Author is my Brother Gerrard fflowke & he had
it from a Piscattaway Indian. I have not seen my Brother
Mason but expect him every day to see

Your obedient Servant

Will^m Dent.

October the 12th 1697.

p. 174

The Deposition of James Waple aged forty years or there-
abouts Sayeth.

James Waple's
Deposition
concerning the
Murther of
Ino Baker, one
of the
Souldiers of
the Garrison
upon
Potomock

That on Tuesday the 21st of September last
past, John Baker one of the Souldiers of the
Garrison under the Conduct of Cap^t Richard
Brightwell went out of the Garrison to catch his
horse being out of the Pasture, and being about
three hundred yards from the fort; Wee immedi-
ately that were within heard him hollow and like-
wise supposed that he Shott of his Gunn and thereupon we
immediately made towards the noise, and I being the first

Lib. H. D. person that came up found the boddy with the head & his right arm cutt off to his Elbow and both carryed away with his Musquett Powder and Shott bagg and further this deponent sayeth not.

And on the back of the above Deposition was thus endorsed

At the Port of Annapolis October the 13th 1697.

Then came the within named Iames Waple before his Ex^{ncy} in Councill and made Oath upon the Holy Evangelist that the within deposition is truth

H: Denton Cl. Concil

Mr Edw^d
Prices
Surveyor &
Seachers
Comission

Edward Randolph Esq^r Survey^r Gen^l of his Maj^{ties} Customs in the Plantations and Colonies on the Continent of America & Islands adjacent To Edw^d Price Gent.

By virtue of a Deputation granted me by the Hono^{ble} the Commissioners of his Maj^{ties} Customes in London bearing date the 15th day of October 1691. And in pursuance likewise of additional Articles of Instructions from their Hono^{rs} Dated at the Custom House in London the 22 Sep^r 1697. Directing me amongst other things, that in case of any vacancy by the death or want of any of the Officers of the Customes, or otherwise to depute and impower some fitt and able person to serve therein, and finding great want of an Officer of the Customes in Pocomoke River & Bay on the Eastern Shore of the Province of Maryland also in the said River of Pocomoke on the Eastern Shore of the Colony of Virginia, I doe hereby depute and impower you the said Edward Price to be Surveyor and Searcher of all the Rates, Dutyies, & Impositions, arising & growing due to his Ma^{ty} in Pocomoke River and Bay on the Eastern Shore of the Province of Maryland and also in the said River of Pocomoke on the Eastern Shore of the Colony of Virginia, and likewise in all Bayes, Creeks, Harbours, Rivers, and Islands, thereunto adjacent or belonging, by virtue of an Act of Parliament made in the 25th year of the Reign of King Charles the Second, Entituled an Act for encouragement of the Eastland and Greenland Trades, and for the better securing the Plantation Trade Whereby you have authority to enter into any Ship, bottom, Boat, or other Vessell, as also into any Shop, House, Warehouse, hostry or other place whatsoever, to make diligent search into any Trunck, Chest, pack, case, Truss, or any other parcell or package whatsoever for any goods, wares, Merchandizes, prohibited to be

imported or Exported, or whereof the Customes and other Duties have not been duly paid, and the same to seize to his Maj^{ties} use, and also to put in execution, all other the lawful powers, and Authorities, for the better manageing and collecting the said duties, in all things proceeding as the law directs, hereby praying and requireing all and every of his Maj^{ties} Officers and Ministers, and all others whome it may concerne to be aiding and assisting to you in all things as becometh. Given under my hand and Seal, of Office, at the Port of Annapolis, this twenty fourth day of December in the Ninth year of the Raign of our Sovereigne Lord King William the third Annoq Domini 1697. Lib. H. D

Ed: Randolph Surv^r Gen^l

Grand Jury
of Prince
Georges
County Repre-
sentation
about the
Rangers &
Garrison &
Recd 25th
Decem^r 1697

Prince Georges Co: ss

At a Court held for Prince Georges County before his Majesties Iustices and Commissioners of the County aforesaid the 24th day of Novem^r 1697.

Present the Worp^l

Coll Thom ^s Holliday	} Just of Quor	{ M ^r Jn ^o Hawkins M ^r Rob ^t Wade M ^r Sam ^l Magrooder M ^r Thomas Spriggs }	} Gentm ^a Ius- tices
M ^r John Wight			
M ^r Rob ^t Tylor			

By the Grand Iury represented as followeth.

We the Jurors for the body of Prince Georges County having had it in charge from the Worshipfull Court to inquire and make report to this Court what measures would most conduce to his Majesties Honour & service and the Interest & safety of this Province to be now taken in relation to the sorte at New Scotland and the defence and security of this Province and the good people there of upon the frontier Plantations against any Incursions of Indians. We do represent and desire that it may be humbly recommended to his Ex^{ty} our Govern^r that we the Iurors aforesaid do conceive it to be for his Maj^{ties} the Kings hono^r the Intrest and safety of this Countie and even the whole Province that the Garrison at the falls of Potomeck be maintained & supported as at present the same is enforted and that the same number of Rangers be kept out & maintained both at the Garrison, or fort and also at the frontier Plantations as are now quartered and posted there. We also are of Opinion it may be convenient and necessary that a Fort or Garrison, be placed on the hill above the New Forte, humbly

Lib. H. D. conceiving it to be for his Maj^{ties} hono^r rather to advance then loose ground in that place.

Robert Clarke	}	John Brown	}	In ^o Sprigg
Daniel Danielson		In ^o Ramsey		W ^m W R: Ray
Tho: J Lucas		Paul Busey		W ^m Lee
W ^m O O Offoot		Francis F Frisby		Joseph X Greere
Edward Dawson		Will ^m Grenup		Nathan Veitch
John J B Boyde		Charles Hay		George Miller
		Jn ^o Hallem		W ^m H Hunter
		Jn ^o J H Henry		Arc ^b Edmonston
		ffran ^t P Piles		Thom ^s K Keniston

p. 176 Francis Nicholson Esq^r Cap^t Gen^l and Govern^r in Chief in &^c over his Maj^{ties} Province and Territory of Maryland and vice Admiralty of the same.

To all persons to whom these p^rsent shall come Greeting

Charles Goodman & als Pass to New Yorke Know yee that having rec^d satisfaction concerning Charles Goodman Edward Weaver, Edmund Teynton, & Cornelius Willmore (the Bearers here-of) lately arrived from England in the Ship Maryland Merchant and from thence intended to go to New Yorke by land, in Order to get on board his Majesties Frigot Forvy, Cap^t Culliford Commander there lately Arrived; two of whom I am given to understand, do actually belong to the said Frigot, & the other two were passingers, but by accident were all left behind and forced to gett their passage in the Ship Maryland Marchant aforementioned; Suffer therefore the said Charles Goodman Edward Weaver, Edmund Teynton and Cornelius Willmore to pass on their way to New Yorke aforesaid about their lawfull occasions without any let hinderance or interruption; Given at the Town and Port of Annapolis under my hand and Seale this first day of March 1697/8 In the tenth year of his Majesties Reign.

A Letter Touchin the Bark Mairmaid, being an Illegall Trade S^r Having notice from our Agent in Scotland that the Bark Mermaid (having a Mermaid in her Stern) John Rodgers a Scotchman Master lately sailed out of Leith Road with Scotch Linnen & other Comodities for Maryland, We desire you will please to cause

Seizure & prosecution to be made thereof and lett us hear Lib. H. D.
of your proceedings We are

Sr Yo^r very humble Serva^{nts}

Custom house London
30th Decem^r 1697

H Hobart
Sam^l Clarke
Ben: Overton
Jo: Austen
Rob^t Henly

Govern^r of Maryland.

The above Letter was directed

For his Excellency
Collon^l ffancis Nicholson

Gov^r of Maryland
For his Ma^{ty} Service

A Letter of
Caution from
the Com^{rs} of
the Customs
to Esq^r Ran-
dolph Con-
cerning Regis-
tering of
Shipp^s &c

Mr Randolph

P. 177

Having rec^d Information that there
are severall Shipp^s now built & building In New
England Virginia & Maryland intended really for
the Natives of Scotland though Colourably to be
Registred in the Respective Plantations and that
these Ships are to Load wthout Giving Bond at
all, Or that Insolvent persons are to be imposed upon the
Officers for securities We direct you to have a perticular eye
& regard to any practices of this kind and take care that all
Ships be duly Registered according to the Provision in the
late Act of Parliament. And that the Officers be cautioned
to take none for Security for Masters but p^{er}sons of Sufficiency
& Value and Inhabitants on the place We rest

Custom house London
9th Dec^r 1697

Yo^r Loving ffriends
Walter Younge
C Godolphin
Sam Clarke
Ben: Overton
Jo: Austen
Rob^t Henley

Virgin^a

The above Letter was directed.

For Edw^d Randolph, Esq. Surv^r Gen^l of his Maj^{ty} Customs
In Englan^d For his Ma^{ty} Service

Lib. H. D.

Decem^r 2nd 1697.

The Councill mett & sate and were

Present

His Ex^{cy} ffran^r Nicholson Esq^r Cap^t Gen^l &^{ca}
 S^r Thomas Laurence Sec^{ry}
 Coll Hen^r Iowles: Tho^s Tench Esq^r }

The weather proving so extreme severe and Sharp that it was not possible for any more of his Maj^{ties} Hono^{ble} Councill to meet this day according to summons; the Creeks and Rivers being all so frozen in that no Boats could pass; and his Hon^r Col^o Greenberry who lives neer to this place lying in a weak & dangerous condition. His Ex^{cy} is pleased to direct and Order that what persons had business or were summoned to appear at this Board and were now attending should be called in.

M^r George Iackson one of the Inhabitants of this place being summoned came accordingly.

His Ex^{cy} is pleased to tell him that if he had any occasion of sending Letters or other business to his Ex^{cy} S^r Edmund Andros his Maj^{ties} Govern^r of Virginia, he should have a horse at any time so farr as the Limmitts of this Province did extend. M^r Beard the High Sheriff having directions given him to provide for him accordingly, whensoever he should require the same.

The Hono^{ble} Thomas Tench Esq^r representing to the Board (by information of Major Iames Smallwood of Charles County) how that the King of the Mattawoman Indians is of late much slighted & rejected by the Indians and that it is believed if he were Encouraged and taken notice off by the English he might be serviceable and discover the perpetrators of the late horrid murther committed at the Garrison Ordered thereupon that M^r Richard Cloud one of the Gentlemen appointed for deciding differences betwixt the English and Indians in S^t Maries County do upon sight hereof go to the s^d Indian King and acquaint him th^t if he is minded to remove himselfe from among them, he will be taken care off by Major Smallwood and entertain'd either at his own house or what
 p. 606 other house he likes best. And the said Major Smallwood is hereby Ordered to provide for him and take care accordingly; ffor w^{ch} he will be satisfyed the next Assembly out of the publick Stock.

The Sherriff of Ann Arrundell County makes return to the following Summons to him directed.

By his Ex^{cy} the Govern^r &^{ca} Novem^r 28th 1697.

Lib. H. D.

Ordered that the Sheriff of Ann Arrundell County do (upon sight hereof) Summons L^t Coll^o Henry Ridgley M^r Geo: Jackson, Kellinsworth Ward and Henry ffish, all of the said County to be and appear before his Ex^{cy} in Councill, at the Port of Annapolis, on Thursday the first of December next without faile; and that the s^d Sheriff have then & there this Summons.

Signed p Ord^r H Denton Cl Concil.

Viz^t That he had summoned the severall parties as thereby he was Commanded.

L^t Coll^o Ridgely according to summons appearing receives directions about the raising the forty five men, Ordered to be raised in this County, and about fixing the Publick Arms &^{ca} (His Hono^r Coll^o Greenberry Coll^o of the said County laying very sick) the w^{ch} he sayes he will take care to comply with.

Henry ffish a black Smith, appearing according to summons is Ordered to fitt and prepare what Iron worke is wanting to be done about the Statehouse, according as M^r Beard should direct; as also speedily to fix what Publick arms should be brought to him by the Officers of this County; for w^{ch} he is told there lyes Public Tobacco ready in the Sheriffs hands for to satisfy him.

John Newton the Publick Drummer of this Port being for his negligence displaced and William Bateman sent for; came accordingly and is offered the said Drummers place, being made sensible of the business he must expect to doe and of the income and Salary for the same; provided he would come and setle in Town; having time given him to consult & consider thereof and afterwards Return his answer.

Upon Recommendations of the Hono^{ble} Coll^o Iohn Courts (represented by the Hon^{ble} Thomas Tench Esq^r) how that one Lemon of Charles County would be a fitt person to execute the Cryers place in the Provincial Court of this Province, now vacant through death of the former Cryer, and that he will come & settle in town to attend thereon. Ordered that the same be referred till Coll^o Courts appears in Councill, and that all Petitions preferred for the said place be likewise suspended the Reading untill then.

December the 3^d 1697.

The Council again sate and were present
His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^{ll} &^{ca}
S^r Thomas Laurence Baron^{tt} Sec^{ry}

The Hono^{ble} Coll^o Henry Iowles
Thomas Tench Esq^r

Lib. H. D. Came John Hockin master of the Annapolis Briganteen, p. 607 Riding in this Port; who signifying that the s^d Vessell being lately built wthin the said Port, and understanding that by a late Act of Parliament intituled an Act for preventing frauds and regulating abuses in the Plantation Trade; it is thereby directed th^t the Masters of all Shipps and Vessells Plantation built shall make Oath thereof before the Govern^r of such Plantation &^{ca} and have Certificate of the same &^{ca} therefore humbly prayed that such Certificate might be granted him; he making Oath as the law in that case directs. Whereupon this Board being sensible th^t the said Briganteen was built here, and the said Hockin being Sworn thereto before his Ex^{cy} in Councill this day; It is Ordered that a Certificate be granted him pursuant to the directions of the said Act of Parliament. Upon the Reading a return of the Justices of Talbott County in answer to an Order of this Board, concerning the Records of that County Court; wherein they certify the reasons why the Records w^{ch} ought to have been up by M^r Jn^o Valliant & M^r Richard Macklin, was absolutely the neglect of such Mercenary Clerks. Ordered that the Iustices Certifying the same; Viz^t Cap^t James Murphey, M^r Will^m Hemsley M^r Richard Tilghman, and M^r Rob^t Macklin make answer to this Board what they mean by those words (Mercenary Clerks) and why they did not take the same care as was taken by the said County Iustices at a Court held for the s^d County the 25th of September past; as by their return also here read and approved off does appear.

Produced at the Board the following return of George Muschamp Esq^r Viz^t

Pursuant to an Ord^r of his Ex^{cy} and Councill bearing date the 21th of October 1697. I immediately upon the Receipt thereof repared to the House of M^r Robert Mason and there took a full view of all his Bookes and papers and could find none relating to M^r John Cood excepting his acco^t w^{ch} I have copyed out of the said Masons Booke of acco^{ts} and eight small Bookes being lists of Debts due to the said Cood out of the following hundreds Viz^t S^t Maries Hundred, S^t Georges Hundred, Poplar Hill hundred. S^t George's hundred S^t Clement hundred, Newtown hundred Choptico hundred.

G. Muschamp.

On the back of the aforementioned Acco^t Copyed out and likewise produced at the Board was thus written Viz^t

Memorandum that M^r Mason, told me that Rob^t Carse attached of Coll^o Jn^o Coods debts 17000^{lb}: of Tobacco w^{ch} he standeth indebted unto him; and that severall others

have attachments against the s^d Coods debts, and that severall of his Debts have been rec^d by Cap^t Slye and his Sone, and th^t the said Cood sent Choptico hundred Booke and what is due in Clements hundred to the Vestry of King and Queen Parish to pay what he owed th^t Vestry w^{ch} is about 13000 pounds of tobacco and that severall of the Debts are denyed and some insolvent.

G: Muschamp.

The which said forementioned return & papers his Ex^{cy} p. 608 having rec^d the 13th of Novem^r past was pleased then to direct the following Order to issue Viz^t

By his Ex^{cy} the Govern^r &^{ca} Novem^r 13th 1697.

Whereas by a return this day rec^d from George Muschamp Esq^r Collect^r and Receiver of his Maj^{ties} Customes within the district of Potomock (in pursuance of an Ord^r of his Ex^{cy} and Councill, bearing date the 21th of October last past, Empowering & directing the said Esq^r Muschamp to make inspection into all the Books of Acco^{ts} and papers of M^r Rob^t Mason, High Sherriff of S^t Maryes County, & for to seize all such he should find to have and Relation to M^r In^o Cood) it doth appear that the said M^r Mason hath secretly held correspondence with the s^d Cood, by privately assisting to get in his debts and altering the property thereof; Notwithstanding he the s^d Mason was sensible that the said Cood had been impleaded by his Maj^{ties} Attorney Gen^l of this Province for an arrear of 439^{lb}: 10^s: 11^d Sterll due from the said Cood to his Majesty as by an acco^t made up by the Committee of accounts appointed for stating the publick Revenue was made appear; and notwithstanding his Ex^{cy} Proclamation (bearing date the 17th of Decem^r last past) forwarning all persons to aid or assist the said M^r Cood in any respect whatsoever under the severest penalties, in contempt whereof he the said Mason is (by the Returne afores^d) found to have acted contrary. Ordered therefore that George Plater Esq^r his Maj^{ties} Attorney Gen^l and Receiver of his Maj^{ties} Revenues arising within the district of Patuxent & George Muschamp Esq^r aforementioned do (upon sight hereof) go the s^d M^r Masons house and again thoroughly inspect & veiw all his Books of accounts and Papers; and where they shall find any of the same to concern the s^d M^r Cood, th^t they make seizure thereof and forthwith employ some carefull trusty person to collect and receive what debts they shall anywaies find accruing to the said M^r Cood, and to issue such necessary process against those persons refusing to make payment of the same as they shall find requisite, in

Lib. H. D. Order that his Majest^{ies} s^d debt due from the said Cood may (as far as Effects can be found) be answer'd; having for their further insight herewith sent the severall papers and returne made by M^r Muschamp as afores^d. And lastly the said M^r Plater is hereby Ordered to cause the s^d M^r Mason to be and forthwith appear before his Ex^{cy} the Govern^r at the Port of Annapolis wth all possible speed to answer the præmises and to come with himsele and bring what Books of accounts or papers they shall further find as aforementioned and that M^r W^m Bladen the bearer hereof be assistant in all these matters & examine the Records of S^t Maries County Court to see whether any attachments have been there granted against the Estate of the s^d Cood; as by the indorsement upon M^r Coods account wth the said M^r Mason is surmised; and that an account be bought of the same; that such proper Course may (for his Majesties Service) therein be taken as is fitting; and that inquiry be made what persons claime Publick Tobacco from the s^d M^r Cood and what Sums of tobacco he may owe upon that account.

Signed p Order
H Denton Cl Concil.

Produced & read a Return of the s^d M^r Plater & M^r Muschamp in answer to the foregoing Order as follows Viz^t

November the 20th 1697.

p. 609 Pursuant to an Order of his Ex^{cy} bearing date the 13th of this instant we went to the house of M^r Rob^t Mason and there searched and examined all the Books, papers and accounts that we could find belonging to the said Mason, but could meet wth no other papers and accounts relating to Coll^o Cood but such as were lately sent your Ex^{cy} by George Muschamp the account being by us compared wth the account stated in s^d Masons Bookes between himsele and Coll^o Cood. But the s^d Mason being disabled in his Limbs by a late fitt of the Gripes Yo^r Ex^{cy} Order in relation to his immediate appearance at Annapolis could not be complied without the hazard of his life; but as to the secureing the Debts due to Cood for his Maj^{ties} use we shall take all due care therein all which is humbly submitted to by.

Your Ex^{cy}s most obedient Servants
G Plater. G: Muschamp.

Afterwards read a Letter from the said M^r Mason to his Ex^{cy} dated the 20th of November past declaring therein his inno-

cency of holding any correspondence wth M^r Cood, Ordered Lib. H. D.
that an answer thereto be written to know how he then came
by those eight Bookes of fees belonging to the s^d Cood, &
how he durst presume to Collect any of those debts for him-
selfe when he knew such a debt was claim'd from him as due
to his Maj^{ty} and that he come up to the Port of Annapolis so
soon as he is in a capacity or able to travell together with M^r
Plater, and th^t he bring up his Bookes of Accounts with him.

A Letter of M^r Platers, in relation to the foregoing affair
being also produced & read, was ordered to be answer'd and
those eight forementioned Books of fees and acco^t to be
return'd to him for his better directions and guidance in
securing those debts. His Ex^{cy} representing to the Board
how that he had received information from Coll^o Addison &
others that Cap^t Mason of Stafford County in his Maj^{ty}
Colony in Virginia had sold to M^r Will^m Chew of Calvert
County within this Province, a considerable quantity of
Skinns; for w^{ch} it is said he was to returne to the s^d Cap^t
Mason, powder & Shott, or as much as he could possibly
procure for him. Ordered that the said William Chew putt
in Writing what dealings he had wth Cap^t Mason in that
nature, what quantity of Skinns he purchased or rec^d and
what returne he was to make for them, and th^t he p^rsent the
same to this Board accordingly in Order to make Oath
thereto.

Pursuant to w^{ch} said Order the s^d Chew presents the fol-
lowing answer to the Board Viz^t

In obedience to the within Order. These are humbly to
Certify th^t I the within named William Chew did actually
receive a hundred Deer Skinns of Cap^t Mason within named
the produce whereoff was to purchase Powder and high
Swann Shott, according as I could agree.

William Chew.

Decem^r the 3^d 1697.

The above returne was sworn to before his Ex^{cy} in
Council by the above named William Chew.

H: Denton Cl Concil

Vpon further representation also of his Ex^{cy} the following p. 610
Proclamation for prohibiting the Exportation of Powder &
Ball was by Order prepared and signed by his Ex^{cy} and
passed the Broad Seale of the Province Viz^t

Lib. H. D.

By his Ex^{ty} the Cap^t Gen^l &^{ca}

A

Proclamation

Maryland ss.

Whereas in a late Journey to the Garrison at Potomock I tooke a particular occasion to inform my selfe from the Iustices Grand Iury and severall others of the Inhabitants of Prince Georges County at their last Court held for the said County whether the additional Rangers lately raised for defence & security of those ffrontiers & Garrison were (for his Maj^{ties} Service) necessary to be continued; And it being made apparent unto to by their severall returnes & answers how th^t they live in continued dread & fear (so long as the Piscattoway Indians keep out) if it were not for those additional Rangers on whome their present security depends And forasmuch as it is not known how soon the Countrey may be attackt by Indians; tho' 'tis hoped the winter setting in so early may prevent their doing any mischief at present; yet th^t the Countrey may not be unprovided of good store of ammunition of Powder & ball ag^t such accidents or occasion; I have thought fit (by and with the advice of his Maj^{ties} Hono^{ble} Councill) to issue this my Proclamation, therein strictly prohibiting & forwarning the Exportation of all manner of ammunition of powder and Ball imported here for Sale And I do hereby further strictly forwarn & prohibit all Merchants Traders and other persons whatsoever (trading in or belonging to this his Majesties Province) from selling or disposing of any ammunition of Powder or ball as afores^d unto any person whatsoever without taking good security of the party or parties purchasers that the same shall not be exported into any other Colony Province or Government under pain of being prosecuted according to the utmost severity of the law for contempt And for the better preventing the exportation of any such ammunition I do by and with the advice aforesaid give full power & authority to all Officers Military & Civill and all other his Maj^{ties} leige people within this Province to seize and secure all manner of ammunition of powder or ball as they shall discover or meet with in the way of Exportation; But if the party making such seizure be not an officer that then he forthwith carry the Goods so seized to the next adjacent officer either Military or Civill, who is to take charge of the same and forthwith send me an account thereof that such proper course may therein be taken as is fitting. And for the pains, care and trouble of the party or parties making such seizure as afores^d I do hereby promise a suitable reward. And to the end due notice hereof may be given, I do straitly

charge & Comānd the severall Sheriffs of the Province to Lib. H. D.
make Proclamation hereof in all Churches, Chappels & at all
Musters, trainings & other publick places of meeting within
their respective Counties, whereunto all persons concern'd are
to yield due and ready obedience, as they and every of them
will answer the contrary at their perill; Given at the Town &
Port of Annapolis under the Broad Seale of the Province this
3^d day of December in the ninth year of the Reign of our
Soveraign Lord King William the third &^{ca} Annoq Dom̄
1697. ffr. Nicholson

God save the King.

Ordered that notice be forthwith given by the Sherriffs to
the field Officers of each respective County that they omitt not
with all expedition possible to raise the severall men directed
and Ordered to be raised in October last, and in getting the
Publick Arms well fitted and fixt. No further business offer-
ing the Councill broke up for this time.

At a Councill held at the Port of Annapolis the 3^d day of
Decem^r 1696. in the ninth year of his Majesties Reign.

Present

His Ex^{cy} ffran^s Nicholson Esq^r Cap^t Gen^l &^{ca}

S^r Thom^s Laurence Baron^{tt} Sec^{ry} }
Coll^o Henry Iowles
Thom^s Tench Esq^r }

Produced and read the following Petition Viz^t

To his Ex^{cy} ffran^s Nicholson Esq^r Cap^t Gen^l &^{ca} The humble
Petition of Rob^t Carvile Sam^l Watkins & Ph^{lp} Clarke, Practi-
tioner's in the high Court of Chancery in the behalfe of them-
selves & Clyents most humbly Shew unto yo^r Ex^{cy} That the
Hono^{ble} Coll^o Iowles Keeper of the Great Seale of this Prov-
ince hath informed your Petitioners that he intends to appoint
a Court the last of December w^{ch} is in the very dead of Winter,
and that whereas there is no causes in th^t Court ready for try-
all or by the rules of the s^d Court can be made ready for try-
all, save one, in w^{ch} your Petitioner Rob^t Carvile is the reall
Complainant. Your pet^r humbly supplicates yo^r Ex^{cy} that
the Court of Chancery may not sitt till after the Provinciaall
Court, and as in duty bound shall pray.

Ro: Carvile
S: Wattkins
Philip: Clarke.

Lib. H. D. The said Petition was by Order indorsed as follows Viz^t

By his Ex^{ncy} the Govern^r & Council, Decem^r 3^d 1697.

It is considered th^t the within mentioned cause be for the reasons within mentioned continued till another Court, and th^t the Peticon^r need not attend here the first Tuesday of Jan^y according to adjournment yet notwithstanding do think it convenient that the said Court be then held and is Ordered accordingly.

Signed p Ord^r
Hen: Denton Cl Concil

A Petition of Sam^l Scott of Pensilvania, concerning some Goods of his being seiz'd upon his Ex^{ncy} Proclamation relating to Pensilvania trade was read. And it being signified that Iudgment is not yett passed in the case; therefore could give no Order therein till then.

Read a Petition of John Dalling late Mate to Cap^t Curtis, setting forth that being grievously afflicted with a timpany, and that whereas no Doctor will undertake to looke after him, notwithstanding he hath proffered good security for their pay; therefore humbly prayes some Doctor may be assign'd to tend him & to endeavour the Recovery of his health &^a Whereupon Ordered th^t Doctor Arnold or some other skillfull person undertake to look after the Petitioner & administer things proper; for w^{ch} if the Petitioner is not able to satisfy; satisfaction will be made by his Ex^{ncy}

Read the following Petition. Viz^t

To his Ex^{ncy} ffran^s Nicholson Esq^r Cap^t Gen^l & Govern^r in Chief in & Over his Maj^{tes} Province and Territory of Maryland &^c and to his Maj^{tes} hono^{ble} Council

The Humble Petition of Henry Denton Navall officer of the Port of Annapolis.

Sheweth. That yo^r Petitioner (by virtue of his said Office) hath seized and brought to tryall severall Sloopes, Shallops &^a wth their lading for breach of divers Statutes, Acts of Assembly & Ordinances of this his Maj^{tes} Province; about w^{ch} he hath been put to great trouble & charge in the execution of his Duty, by securing the said Vessells taking Acco^t of the Goods seized and in Carting divers goods & Rigging up to yo^r Petitioners house, for better preservation of the same; his Majesty having no warehouse in this Port. As also did by Order pay four Dollers to a couple of Persons that brought Mathew Clemisons Sloop over the Bay, as by Receipt for the same hereunto annext may appear.

That in all the said seizures &^{ca} never anything was brought to condemnation, whereby your Petitioner might be satisfied for his pains, charge & trouble bestowed in and about the same, except last Provinciaall Court, where some Goods imported from Pensilvania, by M^r Ashman, Iob Evans & others (to the value of near 30^{lb} w^{ch} they conditionally purchased by an Order from this Hono^{ble} Board, in case of Condemnation) were condemned accordingly and become forfeited to his Majesty therefore yo^r Petitioner humbly prayes he may be allowed out of the same, for all his pains, Charge & trouble aforesaid bestowed; So much as in your Ex^{ty} and Hon^{ors} wisdoms shall seem meet (the Acts of Assembly upon w^{ch} the s^d goods were tryed & condemned having not provided any thing for the informer) and your Petitioner as in duty bound shall ever pray &^{ca} The said Petition was by Order indorsed as follows Viz^t

By his Ex^{ty} the Govern^r & Councill Decemb^r 3^d 1697.

Ordered that the Petitioner draw up an account what charge he has been at in & about the within mentioned matters and th^t George Plater Esq^r his Majesties Receiver of Patuxent district do allow him the same accordingly out of the within mentioned forfeiture.

[Commissioners of Customs to Nicholson.]

S^r

Application is made to us Concerneing the discharge of a Bond said to be given in Maryland in the year 1693 by Peter Bird M^r of the Ship William and Elizabeth with Condition to Carry her Ladeing from thence to some Port of England or Wales or to the Town of Berwick upon Tweed, and It Appearing by the Inclosed Certificate under the hand and Seal of the Coll^r inwards in this Port that on the 8th day of August 1693 The said M^r did then & there enter the said Vessell of the particular goods following (Viz^t) one hundred & 2 hhds with a Small pcell of Bulk Tobbacco and two hundred weight of Sasafrax besides five hundred pounds of Bulk Tobbo delivered att Kingsale in Ireland where as is Said the M^r was in Want of Provisions We desire y^e will please to Affix the Said Certificate to the Afores^d Bond in discharge thereof Unless you have any thing farther to Object we are S^r

Yo^r Very humble Serv^{ts}

Custom House London the 13th
10^{br} 1697

C Godolphin
Walter Younge
Sam: Clark
H: Dubart
Rob^t Henley

To the Gov^r of Maryland

Lib. H. D. Custom House London

This is to Certifie th^t Henry Bird M^r of
p. 192 the Willm and Elizabeth from Maryland Plantation built
Birden Thirty Tons Navigated with Seaven men, Came to the
Custome House (the Ship being English built) on the eighth
day of August 1693 and did there & then enter his s^d Vessell
of the Particular goods following (Viz) one hundred and two
hhds with a Small Parcell of Bulk Tobbacco from Maryland
and 2 hundred Weight of Sasafrax, with twenty five hundred
pounds of Bulk Tobbacco delivered att King Sale in Ireland
as p Ships Entry Dated as Above as above written

Exam^d the 26th November 1697
G Issacson p Coll.

Gov^rnor Nicholson and
whom it May Concerne

London 4th December 1697

Respected ffrriends

This will be brought by Cap^t Ioseph Collman Master of the
Ship Dover Merchant for the Loading Whereof we request
yⁿ take his Bills on us for the Maryland Dutys and Porte
Charges of what Tobb: she may take on Board without Oblieg-
ing him to other security We hereby Engage to pay his Bills
for the said Duty and Porte Charges also whatsoever th^t please
shew him or our supra Cargoe Amos Garrett the same shall
be allways and duly acknowledged wherein we may

Your Oblieged & ready
Serv^{ts}

James Brayne
Benjamin Besayn
Rich^d Hayns

At a Council held at the Port of Annapolis the 17th day of
Decem^r 1697 in the ninth year of his Maj^{ty} Reign

Present

p. 614

His Ex^{cy} ffran^s Nicholson Esq^r Cap^t^a Gen^l &^{ca}
S^r Thomas Laurence Baron^{ts} Sec^{ry}
The Hono^{ble} Coll^{ts} Henry Iowles
Edw^d Randolph Esq^r

Produced by his Ex^{cy} to the Board an Order of the R^{ts}
Hono^{ble} the Lords of the Councill for Trade & foreign Planta-
tions, Dated 27th of October last past (being by his Ex^{cy} rec^d
last night) together wth a Proclamation for publishing the

peace lately concluded between his Sacred Majesty and the French King w^{ch} were both read. Ordered that pursuant thereto the same be published accordingly by all the Sherriffs of this his Maj^{ties} Province & Territory of Maryland, in all Churches, Chappells & other publick places of meeting within their respective Counties. And that they likewise give publick notice to all Privateers and Commanders of Shipp^s riding within the limits of this Government to cease hostilities w^{ch} the French Kings Subjects, according to the teno^r of the s^d Proclamation; whereunto all persons are to yield due & ready obedience at their utmost perill. His Ex^{cy} representing that the weather setting in so very hard that no more of his Maj^{ties} hono^{ble} Councill could possible be got together, whereby a day of publick Thanksgiving and rejoyceing might have been appointed to be Solemnly kept suitable to the occasion of this most happy & joyfull news of a peace concluded & obtain'd through the puissant Valour & prudent conduct of his most Serene & Sacred Majesty; therefore the same is deferr'd till please God the weather becomes milder and the Rivers and Creeks passable.

The following Order issued to the severall Sherriffs of the Province. Viz^t

By his Ex^{cy} the Govern^r & Councill X^{br} 17th 1697.

Ordered that (pursuant to the directions of the R^u Hono^{ble} the Lords of the Councill for trade & forreign Plantations sent unto his Ex^{cy} bearing date the 27th of Octob^r last past) a Proclamation for publishing the peace lately concluded between his Sacred Majesty and the French King (this day read in councill) be published accordingly by all the Sherriffs of this his Maj^{ties} Province & Territory of Maryland, in all Churches, Chappells and other publick places of meeting within their respective Counties; and that they likewise give publick notice to all Privateers and Commanders of Shipp^s riding within the Limmitts of this Governm^t to cease hostilities with the French Kings Subjects, according to the tenno^r of the said Proclamation; whereunto all persons are to yield due and ready obedience, at their utmost perill.

Signed p Ord^r
Hen: Denton Cl Councill

S^r

Application is made to us Concerning a Bond Said to be given in Maryland on or About the 20th Iuly 1690 by John Wade M^r of the Ship London Arms with Condition to Carry her Ladeing from thence to some Porte of this Kingdom And

Lib. H. D. it being Certifyed under the hand and Seal of the Coll^r Inward of this Port that on the 27th of November the said Ship was here entred with Six hundred and Eleaven hhds of Tobb: and Certain Bulk we desire you will Cause the said Certificate and this Letter to be Affixed to the afores^d Bond in discharge thereof Unless there be any thing further to Object we are

Your very humble Serv^{ts}

Sam: Clark

Ben: Overton

Walter Young

Ioⁿ Austen

Custom house London

20th Decem^{br} 1697

For his Ex^{cy} Col Francis Nicholson Gov^r of Maryland.

Custom House London

This is to Certify that Iohn Wade M^r of the London Armes from Virginia Burden 2 hundred & ten Tons navigated with Thirty men English built Came to the
p. 188 Porte of London and did theire Enter his said Ship on the 27th day of November 1690 Containing Six hundred & Eleaven hhds of Tobb^o with Certeine Bulk as Appears by the Ships Entry Dated as Above

Examined the 18th December

gave bond att Maryland

1697

about the 20th July 1690

Geo: Jackson p Coll.

At a Councill held at the Port of Annapolis the 23^d day of Decem^r 1697. in the ninth year of his Maj^{ties} Reign

Present

p. 614 His Ex^{cy} Francis Nicholson Esq^r Cap^t Gen^{ll} &^{ca}

S^r Thom^s Laurence Baron^t Sec^{ry}

Col^o Henry Iowles

Edw^d Randolph Esq^r

His Ex^{cy} representing to the Board how that this happy and joyfull news of a Peace and for settling the matter about the Indians Rangers and other Reasons he holds it necessary th^t a Councill be appointed to meet, as soon as possible, to consult the calling of an Assembly & therefore Ordered that for the better convenience of the Gentlemen of the Councills meeting that live in the lower Counties, the Council do meet & sit at Battell Town in Calvert County the 11th day of Ian^{ry} next ensuing, and that his Maj^{ties} Receivers together wth the Collectors & Navall Officers on this side the Bay, be summoned then & there to appear, as also M^r Robert Mason (if

able) together wth John Shanks, Richard Cloud, Philip Clarke, Lib. H. D. Will^m Taylard, Sam^l Cooksey, Will^m Husbands: Notley: Maddox Mary Vanswaringhen, Cap^t Iohn Bayne, Major Will^m Dent, M^r George Ligan, and M^r Iames Cranford. And th^t the Sh^{rr}f of S^t Maries County take care to provide two good Boats and hands to be ready at M^r Charles Ashcombs to sett them over Patuxent River th^t live on that side.

The following Summons was sent to the Hono^{ble} Coll John Courts & Thomas Brookes Esq^r Viz^t

Port of Annapolis Decem^r 23^d 1697

Hon^{ble} S^r

His Ex^{cy} having considered this day in Council about the Speedy calling of an Assembly, for severall weighty reasons importing his Maj^{ties} and the Countreys Service, and being desirous of the advice of more of his Maj^{ties} Hono^{ble} Council to consult the same, does require your meeting him in Council at Battell Town in Calvert County the 11th day of Ian^{ry} next ensuing the date hereof; being also Ordered to signify that for the better conveyance of severall persons over Patuxent River summoned likewise to be there. It is Ordered that the Sherriff of S^t Maries County provide a Couple of good Boats and hands to be ready at M^r Charles Ashcombs for that purpose, if yo^r Hono^r is intended to come that way.

Signed p Ord^r

Hen: Denton Cl Concil

A like summons issued for the Hono^{ble} Thom^s Tench Esq^r It being thought altogether inconvenient & almost impossible th^t the Gentlemen of his Maj^{ties} hono^{ble} Council living on the Eastern Shoare should attend the s^d Council, are therefore excused from being summoned; as also the Hono^{ble} Coll^o Iohn Addison by reason he has the charge over the men at the Garrison and ffrontiers of Potomock.

The following Summons pursuant to Ord^r issued Viz^t

By his Ex^{cy} the Govern^r & Council Decem^r 23^d 1697.

Ordered that Geo: Plater Esq^r his Maj^{ties} Receiv^r and Peter Ienings, Esq^r his Maj^{ties} Collect^r of Patuxent district be & personally appear before his Ex^{cy} in Council at Battell Town in Calvert County the 11th day of Ian^{ry} next ensuing the date hereof without faile; And th^t the s^d Esq^r Plater give speedy and timely notice hereof to Esq^r Ienings aforementioned.

Signed p Ord^r Hen^r Denton Cl Concil.

Lib. H. D. By his Ex^{cy} the Govern^r & Councill Decem^r 23^d 1697.

Ordered that the Sherriff of S^t Maries County do upon sight hereof Sumons M^r Richard Cloud, M^r Sam^l Cooksey, M^r Will^m Husbands, M^r Phillip Clarke, George Muschamp Esq^r M^r Sam^l Watkins, M^r Will^m Taylard, M^{rs} Mary Vanswaringhen, In^o Shanks and Notley Maddox, that all excuses set apart they & every of them be & personally appear before his Ex^{cy} in Councill at Battell Town in Calvert County the 11th day of Ianuary next ensuing the date hereof; whereof they are in no wise to faile at their perill; and for the ready & best conveyance of the said Persons over Patuxent River to Battell Towne afores^d the s^d Sherriff is hereby likewise Ordered to provide two good Substantial Boats and hands to lye ready at M^r Charles Ashcombes Plantation upon Patuxent River for the end & purpose aforesaid and to give the said persons summoned severally notice thereof; And lastly M^r Rob^t Mason high Sherriff of S^t Maryes County is likewise to make his own personal appearance, at the time & place aforesaid; if please God he should become capable to travell by that time; and that he bring his Books of accounts wth him pursuant to former Order:

Sigded p Ord^r Hen: Denton Cl Cencil.

A like Summons issued to the Sh^{ff} of Charles County to sumons Maj^r Will^m Dent, and to the Sh^{ff} of Calvert County to sumons M^r James Cranford as also for their own Personal appearance the time and place aforesaid.

At a Councill held at the Port of Annapolis the 27th day of December 1697 in the ninth year of his Maj^{ties} Reign.

Present

His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^l &^{ca}

S^t Thomas Laurence Baron^t Sec^{ry} }
Coff^r Henry Iowles
Edw^d Randolph Esq^r

Produced by the Hono^{ble} Edw^d Randolph Esq^r Surveyor Gener^l of his Maj^{ties} Customes on the Continent of America &^{ca} A Commission for administring an Oath to his Ex^{cy} the Govern^r of his Maj^{ties} Province of Maryland bearing date the 30th day of Aprill last past under the Broad Seale of the Kingdom of England, wth an Oath thereto underwritten, to be administred; w^{ch} was read, and the execution thereof deferred till

a fuller Councill and Ordered in the interim to be Recorded. Lib. H. D.
Produced also at the same time Instructions to his said Ex^{cy}
(with certain specimens annex) for the due observance of the
severall Acts of Trade & Navigation, pursuant to the afore-
mention'd Oath, Signed by their Ex^{cy} the Lords Iustices of
England, and Countersign'd by the R^t Hono^{ble} the Lords of
the Treasury by their Ex^{cy}es Comānd, w^{ch} were likewise de-
ferred the Reading till a fuller Councill, whereat the Severall
Collectors & Navall Officers on this side the Bay are summ-
oned to be present.

Then read a direction from the R^t Hono^{ble} the Comiss^{rs} for p. 616
executing the Office of Lord High Admirall of England, Ire-
land &^{ca} Dated 29th of Aprill last past Empowering his Ex^{cy}
ffrancis Nicholson Esq^r to grant Commissions to S^r Thomas
Laurence Baron^t to be Iudge, Henry Denton Register, and
Thomas Collyer Marshall of his Maj^{ties} Court of Vice Admir-
alty for the Province of Maryland.

The Hono^{ble} S^r Thomas Laurence Baron^t signifying his indis-
position of body & his being otherwise taken up wth his Sec-
retaries employ does humbly desire to be excused from being
put in any such Commission and prayes his Ex^{cy} would be
pleased to conferr the same upon such other person as in his
wisdome he shall think fitt.

Then read a Commission under the Seale of the Admiralty
of England bearing date the 26th day of Iune 1697. Empower-
ing his Ex^{cy} the Govern^r of Maryland to appoint Iudges, Reg-
isters, Marshalls and Advocates of the Courts of Admiralty of
Maryland, Pensilvania & West Jersey w^{ch} was read.

Afterwards produced by the aforementioned Esq^r Randolph
two Commissions under the Seale of the Admiralty in Eng-
land bearing date the 26th day of Iune 1697. The one con-
stituting M^r Will^m Rodeney to be Reg^r and the other M^r Rob^t
Webb to be Marshall of his Maj^{ties} Court of Vice Admiralty in
the Province of Pensilvania and the three lower Counties &
West Iersey. The s^d Esq^r Randolph signifying that Coll
Quarry had a Commission for being Iudge of the said Court,
and that M^r Edw^d Chilton had a Comission for being Advocate
of the s^d Court, as also of his Maj^{ties} Court of Vice Admiralty
in Maryland.

Decem^r the 10th 1697.

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M^r Rob^t
Masons Letter
to Coll^o Ino
Cood.

Coll Cood

S^r yours I received and for answer am forced to
acquaint you that the Governer sent down with an
Order of Councill and seized all your Books I being then and
still am not able to use hand nor foot and he being suspitious
th^t the first search was not sufficient sent M^r Plator M^r Bladen

Lib. H. D. & others to research my house & all my papers again wth another order of Council with all to bring me up to Annapolis but it pleased God so to lay his hand upon me that that Iourney was prevented the Substance of that Ord^r was that you were indebted unto the King four hundred and odd pounds by ball^a of accoⁿ made up, and that you and I kept Correspondence together on purpose to defraud his Majesty, and it comes from your own talk from Virginia side as far as can understand for Perrey was informed the last time he was over that you often in Company should say that you could have your Business done in Maryland in spite of the Governors teeth, & some other your backward friends in Maryland hath seconded it that is some of the Vestry of the uper Parish & I had cleard my self of your Books and sent them you long since if had not been afflicted with this distemper it hath held me this 5 months, I am very sorry that things fallen out so, and do not know how any prudence could have avoyded it unless I had some notice before hand S^r my due respects to you and your Lady I rest

S^r yours to Command
Rob^t Mason.

The above Letter was directed as follows Viz^t

To
Cott John Cood
These
with Care I prey

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[Naval Officers Bond.]

Maryland ss Know all men by these p'sents that we William Bladen Edw^d Dorsey and Charles Carroll gentⁿ are hereby held and firmly bound unto are Sov'eigne Lord King William the Third &c in the full and Iust Sum^e of five hundred pounds Sterl to the true paym^t whereof to be made unto our said Sov'eigne Lord the King his heires and Successors we bind our selves and every of us and every of our heires Exⁿ and Admⁿ Sev^rally and Joyntly for the whole and in the whole firmly by these p'sents sealed & Dated this 24th of December 1697.

The Condition of this Obligation is such that if the above bound William Bladen who is appointed the Collect^r of the porte and District of Annapolis shall well and faithfully Execute the s^d Office and render a Iust and true account of and pay the one peny p pound by him to be received according to his Matys Royall grant and Charter to the Colledge of William

& Mary in his Collony of Virginia and Observe and persue the directions & Instructions of the hon^{ble} his Matys Comⁿ of the Customs thereupon and also observe and pursue all such other Instructions as he shall from time to time receive from the said Comⁿ of the Customs in England or from his Ex^{ty} the Govern^r of this Province for the time being then this Obligation to be Voyd Otherwise in full force and Virtue

Signed Sealed and Delivered	William Bladen	[Seal]
in the p ^r sence of	Edward Dorsey	[Seal]
Thomas Laurence	Charles Carroll	[Seal]

Mr Ino
George's Depu-
tation To Mr
Samuel
Houldsworth
as Agent for
prizes &c

To all unto whom these presents shall come
John George of Boston in the County of Suffolke
within his Majesties Province of the Massachusets
to Bay in New England Merchant sendeth Greet-
ing. Whereas the Principall Com^{missioners} for
Prizes in & by a Com^{mission} Given under their hands and the
Seale of their Office the 11th day of May 1697. By virtue of
the power and Authority to them given by his Majesty by
Com^{mission} under the great Seale of England, have constituted
& appointed the above named John George Agent for all
Prizes that are, have been, or shall be brought into all or any
of the Ports in Maryland and districts thereof, and in New
England, New Yorke, Pensilvania and Virginia, with full power
& authority to doe and performe all and all manner of things
to the said place of Agent belonging and appertaining accord-
ing to such directions & Instructions as he shall from time to
time received from the s^d Com^{missioners} or any three or more of them
&c^a As in and by the said Com^{mission} (an authentick Copy
whereof is hereunto annexed) will more fully and at large
appear. Now Know yee that I the said John George as Agent
unto the s^d Principal Com^{missioners} for prizes, & pursuant to
the authority by them unto me given have nominated appointed
and deputed And by these presents do nominate appoint and
depute Samuel Houldsworth Esq of the Province of Maryland
to be my Lawfull Substitute & Deputy for all prizes that are
have been or shall be brought into all or any of the Ports in
the Province of Maryland & districts thereof Giving and here-
by granting unto him my said Substitute & Deputy as full large
and ample power and Authority to do & performe all and
every such act matter and thing in Maryland afores^d & dist-
ricts thereof. as I the s^d John George might there personally
do and performe by virtue of the aforementioned Commission
& the Instructions unto me given by the s^d principal Com^{missioners}
for prizes. In Testimony whereof I the said John
George have hereunto sett my hand and Seale the twenty fifth

Lib. H. D. day of January Anno Dom 1697/8 And in the ninth year of his Majesties Reign

Signed Sealed and Delivered	John George	[Seale]
in presence of	In Testimonium Veritatis	
Is ^a Addington	Sampson Sheafe	
Edw ^d Surfrey	Notus Pub ^m	
[Seale]	Jan ^{ry} 25 th 1697/8	

By the Principal Comissⁿ for Prizes

Mr Ino
Georges
Comission for
prizes &c^a

Whereas his Majesty by Comission under the great Seal of England hath made constituted & appointed us to be Principal Comissioners for the care & management of all such Shippes Goods and Merchandizes as are have been or shall be taken and seized for prize during hostility wth the French King thereby giving us or any three or more of us full power & Authority by Comission under our hands & Seal wth the approbation of the R^t Hono^{ble} the Lords Comissⁿ of his Maj^{ties} Treasury to substitute such & so many persons as are necessary to be imployed in and about this service. And we having rec^d their Lordships warrant authorizing us to supersede the Comission we have lately given to Peter Jenings to be Agent for prizes in Maryland. Do by virtue of the power & authority unto us graunted and pursuant to their Lordships said warrant accordingly Supersede the Comission of the said Peter Jenings & constitute and appoint you John George and you are hereby constituted and appointed Agent for all Prizes that are have been or shall be brought into all or any of the Ports in Maryland and districts thereof and in New England New Yorke Pensilvania & Virginia wth full power & Authority to you, to do and performe all & all manner of things to the said place of Agent belonging & appertaining according to such directions & Instructions as you shall from time to time receive from us or any three or more of us And Whereas we are informed there are and hath been great concealments & embezelmen^{ts} made and committed And that also no accompt hath been yet returned unto us of any prize Shipps, Goods or Merchandizes wth hath been brought into Maryland, New England, New Yorke Pensilvania, Virginia or any other place upon the Continent of America We do therefore hereby impower you Iohn George & such others as you shall think necessary to imploy to inquire after examine and find out all matters & things transacted or that shall be transacted comitted or done touching the premises in the said Colony of Maryland and its districts, or in or on New

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England, New York, Pensilvania, Virginia or any other place Lib. H. D.
or places upon the Continent of America from the 19th of Iune
1689, for & during the time & continuance of our Comission.
And all our Officers & others concerned are hereby required
to assist, produce and submitt to Examination all Bookes
Accompts papers & other Vouchers which relate to or shall be
necessary for this service. And for the better & more
effectual executing this our Comission You are also aided wth
a Comission out of his Majesties High Court of Admiralty
for the examining upon Oath any person or persons you shall
think fitt for the discovery of all frauds &^{ca} as by the said
Comission and Instructions doth more at large appear, Given
under our hands and the Seale of our office the 11th day of
May 1697.

Jo: Parkhurst
Robert Murray

Edw. Ayscoghe.
Michael Cole
Ia: Vernon
John Paschal

A true Copy as appears of Record
in the Secretaries Office at Boston in New England
Exam^d p Is^a Addington Sec^{ry}

A Letter
from the
Comiss^{ns} of
his Maj^{ties}
Customs
to his Ex^{cy}

S^r

We herewith send you an Act passed in England
Entituled an Act for preventing frauds and Regu-
lating abuses in the Plantation trade, and desire that
you will not only do & perform all the matters &
things therein contained so farr as concern you and the
persons acting under you but assist & encourage our severall
Officers within your Government in the Execution of the said
Act And all other the Laws for the Security of the Trade and
Navigation and Revenue of Customs in this Kingdom. We
are

S^r your very humble Servants.

Custom house London
12th Aprill 1697.

Govern^r Maryland

Jo: Austen
Sam. Clarke
Ben: Overton
Rob^t Henley

S^r

The last Letter we writt to you dated the 27th of the last
month, being only upon the Subject of the peace, and a Dupli-
cate thereof having been sent at the same time by a different
conveyance, We doubt not but one or both of them will in due
time reach your hands, and therefore now referr you thereunto.
But our former Letter dated 2nd Septem^r being upon several

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Lib. H. D. Subjects, & sent in a time of greater uncertainty by reason of the War, we herewithal send you a duplicate of it.

The Letters we have lately rec^d from you are dated the 13th of July & 31st of August last together with one to the Lords of his Majesties Privy Council, dated the 30th of June, w^{ch} by their Lordships Order has been transmitted to us.

The last of your forementioned Letters to us, about the sending the Fleets & Convoys, and all you write on the same Subject, in the former of them, is fully answered by the happy conclusion of the Peace; which setting the Trade open, and the Merchants (as we are informed) having had very good Marketts for their Tobacco, there is no doubt now but your Crop will be fetched away in due season. We hope also the Merchants will now supply you wth such plenty of Manufactured Goods and so cheap from hence th^t yo^r people will have no incouragement to go on in making them there (as you say they were too much inclined) but instead thereof apply themselves more industriously to planting. However your observations and advices to us upon that Subject; and yo^r endeavours to promote what is apparently the true interest of England therein will be always very acceptable.

We have perused all the Journals & other publick papers that you have sent us, and shall make use thereof, either in Directions to your selfe, or in anything here for the service of th^t Province as ocassion offers. But the Laws of that Province are yet all of them in the hands of his Majesties Attorney Genneral. For tho we writ in our last that we had received back some of them yet we have been obliged to return them again to him, for a full report upon the whole. And this suspence doubt & perplexity, th^t remains still in those Laws, obliges us again to remind you of all we have already writt upon that Subject and desire that it be observed.

There is one of those laws imposing a duty of Ten p Cent. upon European Comodities exported out of Maryland, concerning w^{ch} we have had many complaints made to us by M^r Penn & other concerned in Pensilvania not only as injurious to them, but in consequence as a burden & obstruction put upon the exportation of Goods from hence; unto w^{ch} complaints we have still deferred answering in expectation to have the Law it selfe under our consideration. But this unavoidable suspence in the General Examination of those Laws making it fit that you be informed in the mean while of those objections against this in particular we herewithall send you a Copy of a paper that has lately been delivered to us upon th^t Subject w^{ch} seems by the Style of it to have been something sent from Pensilvania to your selfe. But whether that be so or no we must add; That the Reasons contained in it

(some of them at least) as also the forementioned suggestion Lib. H. D. of obstructing the exportation of Goods from hence, appear to have weight in them; and that however, the partiality therein complained of in the execution of that Law, if there have been any ought more especially to have been avoided. We are obliged also particularly to take notice of one Article entered the 28th of May 1697. In your Journal of Council in Assembly, wherein it is said that a Letter of M^r Poveys to you dated the 20th of Octob^r 1696 was read, in w^{ch} he writes that he has not been wanting to Solicit us about the Maryland Coynes: Whereupon we must inform you that no such application was ever made to us about th^t matter. And tho two or three loose papers were delivered to us upon that Subject amongst others when we first entered upon this Comission as things depending before the Lords of the late Committee, we did not think fitt for us to move any thing in that matter till the Laws themselves of that Province came Regularly under our consideration. There are several things in your letter of the 13th of Iuly & papers accompanying it, Relating to the Acts for Trade, and methods for the more effectual observation thereof, all w^{ch} are very usefull for our Information; and we desire you upon any New occasion to continue your advices to us upon the same Subject; But as those matters lye more particularly, under the Conduct of the Comissⁿ of his Majestys Customes here, we desire that for the future whatever you write us upon that Subject be in a distinct paper separte from your Letters about other business; and that at the same time you give us notice whether you send the same things (or how much of them) to the Comissioners of the Customes themselves; That so we may avoid the needless trouble of sending them the Copys of your papers.

Your Diligence in issuing Proclamations & giving directions through your Government for the apprehending of Every and other Pirates, and the Zeale w^{ch} you express upon all occasions for the extirpation of that pernicious Race of Vermin, is very commendable. But we must observe to you upon that Subject that the information of Thomas Robinson & Francis Iones which you have sent us relating to Pirates in Pensilvania, and to the conduct of that Governm^t towards them, is the less weight because not upon Oath: And that we suspend our Iudgment upon that matter till we have more thoroughly Examined their defences than we have yet had leizure to do. It has happened now upon occasion of the Peace th^t we have been obliged to inquire into encouragements that can be proposed in any of his Maj^{ties} Plantacōns for such of the Soldiers now to be disbanded may as be willing to transplant themselves thither: upon w^{ch} occasion we have had recourse to the per-

Lib. H. D. sons most here concerned in any of them: And thereupon they think fit to let you know th' it has been some inconvenience to us not to find any Agents here for Maryland, as there are
 p. 182 for Barbados, Iamaica & other places, appointed by Acts of their General Assemblys; And th' we are apprehensive lest the want thereof may happen in some occasions to prove prejudicial to that Province, by delays in their Publick affairs and loss of opportunities for their advantage.

What you mention occasionally in the 9th page of your Letter about the want of Negroes and Servants in that Province, and the decay of trade as occasioned in part by that want makes us wish to be a litle particularly informed what ordinarily becomes of white Servants sent thither when the time of their service is expired: Unto which we therefore desire your answer.

Your Doubt and difficulty about Tryalls for Breaches of the Acts for Trade being matter of Law, we have sent to his Majesties Attorney and Solliciter Genneral for their Opinion thereupon, And shall not faile to advise you thereof in our next. In the mean while we bid you heartily farewell.

White hall
 November the 17th 1697.

Your very Loving Friends
 Ph. Meadows
 John Pollexfen
 John Locke
 Abr Hill
 George Stepney

A Reply to Coll Nicholson's answer to the Pensilvania Merchants Petition.

The first branch of the answer denyes the premises for if we have free passage of allowed Comodities paying only such dues or Custom's as were or shall be imposed by the Laws of England to the Province of Pensilvania; then no Laws of any Province under the Crown of England ought to obstruct the free passage of such goods as have already paid in England, in their passage to the Province they are consigned to, and already have paid to goe to; nor is it the practice of any Nation to require but there where the goods are consigned and sold. So th' the Law of Maryland do's not make it the more Lawfull, because that it is not the Law of England, but injurious to its Trade as well as to the people of Pensilvania.

His Second and third Branches need no other answer than that we claime freedom by a use that is all over America and that Maryland cannot of right break; for 'tis expressly ag' a clause of Priviledge in the Lord Baltimores Pattennt to all the Kings Subjects that shall make that Province their way to others where they inhabit; And if the Pensilvanians carry away

any of the growth of that Province without payment of what the laws of th^t Province require, it is the duty of the Officers of th^t Government to prevent it, which may be done without involving & bringing the growth of England under the same Custome with the growth of the Province. Lib. H. D.

To the fourth branch we cannot understand how we pre- p. 183
judice the Trade of Maryland by bringing English Goods to Pensilvania, in Shippes bound to Maryland, for Tobaccos; if they are aggrieved by our importing our own growth amongst them, they may forbid it as they have done our Beer, thō they often want it to furnish the home bound fleets, having litle or none of their own make; but that can be no argument why we must not bring English goods through Maryland to another of the Kings Provinces; Nor does Govern^r Nicholson treat New Yorke at the same rate, thō as much under the lash of that Law as we are; which is a partiality added to illegality. To the 5th branch of the answer we reply, that Lord Baltimores Pattent gives no power to lay impositions upon English goods not bound for that Province, but through it to another Province under the Crowne of England.

To the last Branch we need only say, that Govern^r Nicholsons Commission cannot invalidate prior Grants, as is observed by Cō^{onl} Nicholson in his 5th Branch, nor authorize him to make Laws ag^t the Trade & good of England, nor the common Priviledges of another Province; So that the power of Law making urged by that Paragraph, in excuse of this Law, cannot excuse an abuse of such a Commission and Authority; for which reason we pray we may be releived as from an intolerable Grievance

Esqr Layfield's
insensible protest,
& Deposition of Ino
Roach Carpenter about the
Sloop Margaret.

Jurat Ino
Roach Carpenter
tht on request
of Mr John
Henry Mrcht
& others with
one Chp Iones

By this Publick Instrument of protest be it known & manifest unto all those who shall see these presents or hear the same read that on the 26th day of August 1697. In th ninth year of our Sovereign Lord King Will^m the 3^d By the Grace of God King of England &^{ca} Defender of the ffaith &^{ca} At the instance and request of John Henry Merchant of Snow hill in Somerset County in the Province of Maryland. I George Layfield Notary & Tabellion publick dwelling in Pocomoke in Somerset County in his Majes^{ty} Province of Maryland admitted & Sworne thereto have protested and by these presents do Solemnly protest against Ioseph Lax Cō^{mand}r of the Sloop Margaret and Sarah of Potomock in Virginia English built Sloop about twenty Tunns no Gunns Riding in Annessex in the County above did clear for

Lib. H. D. Carpent^r went on board the Sloop Margt & Sarah Virginia built and bound for New England upon diligent Search made, the said Sloop we found altogether deficient & not qualified for Sea as is attested & Sworne to as well for the sd Jones as me the Subscriber. Ino Roach Sworn to before me this 28th day of March Ano Dom: 1697/8 George Layfield G. L.

New England the 13th day of August 1697 with David Kennedy Esq^r Coll^r of that district. For these reasons following Viz^t That the Seamen belonging to the above Sloop left her refusing to goe the Voyage declaring she was unsufficient the Collect^r giving a permitt to bring the goods a shore by reason she was ready to Sink at Anchor in the same Port and on the 26th of August as above Christopher Jones and John Roach Carpenters did search the above Sloop & have given under their hands & declare & ready to attest the said Sloop in such a Condition fitt for no man to hazard his life in by w^{ch} reasons she proceeded not her intended Voyage but is still in this Province to the great loss of time & considerable damage sustained by the said John Henry: This done in the presence of Ino Edgar and James Brechin Wittnesses hereunto required this 24th day of March 1697/8

Ino Edgar
James Brechin p George Layfield Publick Notary.

The above Protest was indorsed thus Viz^t

By his Ex^{ty} the Govern^r &^{ca} April the 12th 1698.

Ordered that the within papers be referred to his Maj^{ty}s
p. 184 Lawyers for their report & opinion thereon to be given wth all possible speed. Signed p Ord^r
Hen: Denton Cl Concil.

We do humbly Certifye that we do take this protest to be very insensible writing & do not know what to say further to it.

R. Gouldesborough
Will^m Dent.

Whitehall the 25th of Septemb^r 1697.

S^r

His Majesty having taken into consideration how much it concerns the good of his Subjects, and the security of trade that all Pyrates & Sea Rovers should be suppress, who are observed to have very much encreased of late in their numbers, and to have done great damages, as well to his Majestyes Subjects, as the Subjects of other Princes and States in Amity wth his Majesty, and there being ground to believe,

that they have been encouraged to this boldness by the easie Lib. H. D.
admittance they have found into his Majesties Colonies and
Plantations in America where some of them have either been
protected, or were not enquired after, as ought to have been
done, in order to bringing them to punishment; His Maj^{ty}
has Comanded me, to signifye his express pleasure to the
respective Governours of the Colonyes aforesaid, that they use
their utmost diligence & strictly enjoyne the same to all
Officers under their Comand, that due care be taken within
the Limits of their severall Jurisdictions, To arrest seize &
secure the Shippes, Persons and Effects of all such Pyrates and
Sea Rovers, as also that a true and exact Inventory be made
of all Money, Plate, Jewells, Goods, or other Effects whatso-
ever brought in by or any way belonging to the said Pyrates,
the same to be signed and attested by propper Officers, and
that an account thereof, and of your proceedings herein be,
by the first opportunity transmitted to his Majesty by the
hands of one of his Principall Secretaries of State, to the end,
that such further directions may be sent you, as his Majesty
shall think necessary, all which you are therefore carefully to
observe, and in each particular to conforme your selfe to his
Majestyes pleasure accordingly.

I am
S^r

Your most humble Servant
Shrewsbury.

The above Letter was directed Viz^t

To his Ex^{cy} Francis Nicholson Esq^r
Govern^r of Maryland
or in his absence

To the Govern^r for the time being
In Maryland

At a Councill held at the Port of Annapolis the 30th day of
December 1697. In the ninth year of his Majestyes Reign.

Present

His Ex^{cy} Francis Nicholson Esq^r Cap^t Gen^l &^{ca}

S^r Thom^s Laurence Baron^{us} Sec^{ry} }
Coll^o Henry Iowles
Edward Randolph Esq^r }

Produced by the Hono^{ble} Edw^d Randolph Esq^r Survey^r
Gen^l of his Maj^{ty}s Customes on the Continent of America &

Lib. H. D. Islands adjacent a Commission by him granted to M^r Will^m Wyvill thereby constituting him to be Riding Surveyor for the two Rivers of Bohemia & Sassafras in Cecill County, and on the heads of all other Rivers on the Eastern Shore, Dated 24th of Decem^r instant w^{ch} was read and approved off.

The said M^r Wyvill appears & tenders Major Edw^d Dorsey & M^r Charles Carroll as security for the faithfull and due discharge of his said Office And a Bond being prepared accordingly, was signed, Sealed and delivered at the Board by the s^d M^r Wyvill and Major Dorsey & M^r Carroll his Securityes.

p. 617 Afterwards produced a Deputation granted by the said Esq^r Randolph unto M^r Will^m Bladen for being Collector of the Port of Annapolis, and all the Rivers Creeks & Bayes &^{ca} from the South side of South River to Susquehanna, bearing date the 24th of Decem^r instant, w^{ch} also was read and approved off and the said M^r Bladen also appearing and tendering the aforementioned Major Dorsey & M^r Carroll for his securities &^{ca} a Bond of 500^{li} Strll to his Maj^{ty} was prepared accordingly & by them signed & Sealed and delivered for the faithful discharge of his said Office.

Then produced severall Instructions given by the said Esq^r Randolph to the aforementioned Will^m Wyvill for the due observance of his Surveyors place, w^{ch} were read & approved off, and Ordered to be Recorded together wth his Comission, as well in the Provincial Office as Councill Booke.

The said M^r Wyvill and M^r Bladen had severally administred unto them the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy as also the oath of Trade & Navigation & Subscribed to the Test, Afterwards produced a Comission under the hand & Seale of the aforementioned Edward Randolph Esq^r bearing date the 24th of December instant, constituting M^r Thomas Collyer to be Collector of the Port of Williamstadt and of Miles, Wye & Chester Rivers &^{ca} which was read & approved off.

Ordered that the Comission of Riding Surveyor formerly granted by his Ex^{ty} to M^r Dan^l Pearce of Cecill County; as also the Comission granted to M^r Thomas Collyer for being Navall Officer of the Port of William: Stadt and General Riding Surveyor on that side the Bay be henceforth vacated & set a side And the same are hereby disannulled and vacated accordingly.

Ordered that the Hono^{ble} Coll^o George Robotham of Talbot County recommend some fitt & capable person to officiate as Navall Officer of the Port of Williamstadt in the Room & stead of M^r Thomas Collyer the former Officer now dismissed, a blanck Commission for that purpose being herewith sent for

the said Coll^o Robothams filling up; who is hereby likewise Lib. H. D. Empowered and Authorized to administer the Oath appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacie unto the said person he shall so recommend & appoint, and the Oath of Trade & Navigation herewith likewise sent, and that the s^d Coll^o Robotham do in like manner Administer the aforementioned Oaths unto M^r Thomas Collyer now constituted Collector of the aforesaid Port; and that the Test be tender'd them to be subscribed to, being likewise directed to take Bond from each of them wth good Security for the due & faithfull discharge of their respective places, according to the form herewith sent.

His Ex^{cy} is pleased to direct the Hono^{ble} Edw^d Randolph Esq^r for to write to the R^{tt} Hono^{ble} the Com^{miss}^{rs} of his Maj^{ties} Customes desiring them to send Deputations to the Persons by him now Commissionated and that an Addition might be made to their Sallaries to enable them to keep Boat and hands.

His Ex^{cy} is pleased to signify that the R^{tt} Hono^{ble} the Com^{miss}^{rs} of his Maj^{ties} Customes have according to his request p. 618 sent in two dozen of Bookes of Rates and two dozen of late Acts of Parliament for preventing frauds and Regulating abuses in the Plantation Trade; w^{ch} are directed to be disposed off as follows; Vizt One of a Sort to be lodged among the Councill Records, for the use of the Govern^r and his Maj^{ties} Hono^{ble} Councill, the like to be lodged wth the Clerk of the Provinciaall Court & every County Court of this Province; as as also wth each Collector & Navall Officer.

Ordered that the severall Acts of Trade contain'd in the Book of Rates & late Act of Parliament for preventing frauds and Regulating abuses in the Plantation trade be read twice every year in every County Court of this Province.

Ian^{ry} the 3^d 1697/8.

The Hono^{ble} Edw^d Randolph Esq^r Surveyor Gen^{ll} of his Maj^{ties} Customs on the Continent of America &^{ca} producing a Com^{miss}ⁿ by him granted unto M^r Rob^t Dacres for being Surveyor & Searcher of his Maj^{ties} Customes in Somersett County including Nanticoke River, bearing date this day, was Read before his Ex^{cy} in presence of the Hono^{ble} S^r Thomas Laurence Baron^{tt} Sec^{ry} and Coll Henry lowles & approved off; & the s^d M^r Dacres being present, administered unto him the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy; as also the Oaths of Trade and Navigation and Subscribed to the Test.

Lib. H. D. By his Ex^{ty} the Govern^r & Councill, Decem^r 30th 1697.

Whereas his Ex^{ty} having rec^d his Maj^{ties} Royall Commands for sending over all the Wilde Deer, Turkeys, Partridges, Mocking birds and all other sorts of Birds and wilde Creatures as can be gott. It is Ordered that the Sherriffs give publick notice thereof in their respective Counties in Order to procure as many of every sort as possible, whose readiness in Compliance herewith will not a little demonstrate their returne of gratitude to his Majesty who hath done & effected so great things for his Subjects, hereby signifying that his Ex^{ty} will make Satisfaction for what are delivered to his Ordre (upon advice given him where they are to be had) if they don't think fitt to send the same as a present to his Majesty out of their own free will. Signed p Ord^r Hen: Denton Cl Concl

Ian^{ry} the 4th 1697/8

Memorandum

A minute of
Mr Cheseldyns
Letter to his
Ex^{ty} excusing
his non at-
tendance &ca His Ex^{ty} rec^d a Letter from the Hono^{ble} Ken^{lm}
Cheseldyn Esq^r Co^mmissary Gen^{ll} baring date the
first instant thereby signifying his disability to
attend the Co^mmissaryes Court appointed to be
held this day by reason of his great indisposition
of boddy desireing to be excused untill he has a litle recovered his health and in a capacity to travel &ca

Mr Wm
Wyvill,
Riding
Surveyors
Co^mmissⁿ &ca Edward Randolph Esq^r Survey^r Gen^{ll} of his
Maj^{ties} Customs in the Plantations and Coloneys
on the Continent of America and Islands adjacent.
To William Wyvill Gent.

By virtue of a Deputation granted me by the Hono^{ble} the Co^mmiss^{rs} of his Maj^{ties} Customs in London bearing date the thirteenth day of October 1691. And in pursuance likewise of Additional articles of Instructions from their Hono^{rs}, Dated at the Custom House in London the 22nd day of September 1697. Directing me amongst other things that in case of any vacancy by the death of any Officer of the Customs or otherwise to appoint some fitt & able person to serve therein, giving notice thereof for their Hono^{rs} directions therein. And finding an absolute necessity of having a Riding Surveyor not only in the Rivers of Bohemia and Sassafras But also at the heads of all the Rivers on the Eastern Shore of the Province of Maryland unto Susquehannah. I doe hereby appoint you the said William Wyvill to be Riding Surveyor of his Maj^{ties} Customs at the Rivers of Bohemia and Sassafras and also at all the

Rivers on the Eastern Shore of the said Province to Susquehannah River with full power and authority to enter into any Ship bottom Boate or other Vessell, as also into any Shop House Warehouse Hostry or other place whatsoever and to make dilligent search into any Wagon or Cart Trunck, Chest, pack, Case Truss or any other parcell or package whatsoever for any goods Wares Merchandizes to be Imported or exported either by Land or Water into or out of the said Province or whereof the Customs and duties have not been duly paid and the same to seize for his Maj^{ties} use and also to put in execution all other lawfull powers and Authorities upon the highwaies and Roads in the said Province of Maryland, And also in the Province of Pensilvania. For the better managing & collecting the said duties in all things as the law directs following & observing all Rules and Instructions as you shall from time to time receive from the Commiss^{rs} of his Maj^{ties} Customs in England or from the Com^{miss} of his Maj^{ties} Customs for the time being Given under my hand and Seale of the Office at the Port of Annapolis the four and twentieth day of December, and in the ninth year of his Majesties Reign Anno Doqme 1697.

Lib. H. D.

p. 165

Fd: Randolph Surv^r Gen^l

Mr Wm
Wyvill^s
Riding
Surveyors
Instructions

Articles and Instruction to Will^m Wyvill Gent
Rideing Survey^r of his Maj^{ties} Customs at the
Rivers of Bohemia and Sassafras and also at the
heads of all the Rivers on the Easterne Shore to

Susquehannah.

1st You will herewith receive a Booke of Rates & also the Act made in the 7th & 8th years of his p^{sent} Maj^{ties} Reign Entitled an Act for the preventing of frauds and the regulating abuses in the Plantation trade.

2^{ndly} You are before your entring upon the said Office to take the Oaths appointed by Act of Parliament to be taken instead of the Oathes of Allegience and Supremacie & subscribe the test and also the Oath for the due observing the severall Acts of Parliament relating to trade and the faithfull discharge of your office.

3^{dly} You are to Examine and make strict search into all Shippes & Vessells whatsoever trading in those Rivers or at the heads of any of them Between this Province of Maryland and to & from any Town River place and Creek in the Province of Pensilvania, and also to search any Wagon or Cart Trunck Chest Pack Case Truss or any other parcell or paccage whatsoever, for any Tobacco Goods Wares and Merchandizes to be imported or exported either by Land and Water whereof

Lib. H. D. the Customs & duties do not appear to you to have been duly paid.

4^{thly} You are to observe and yearly take an account of all goods and Merchandizes, as also of the marks numbers & quantityes of all hogsheads or smaller Casks of Tobacco Carried by Land or by Water from one of the said Provinces to the other altho the said duties have been duly paid together with the name of the person to whom the said goods, Merchandize and tobacco doe truly and Bona fide belong and in case any of the said Goods or Merchandizes were imported into either of the said Provinces you are to inform your self upon what Ship and Masters name and from what place they were imported, as also of the name of the Master and the Ship upon which any such tobacco shall be Loaden & putt on board and to what place bound and the same to enter fairly in a Booke kept by you for that purpose.

5^{thly} And where you shall find just cause to make seizure of any Shipp Vessell goods or Merchandize for breach of any of the aforesaid Acts, you are forthwith to give notice thereof to
p. 166 any of the members of his Majesties Council of this Province or to one of his Majesties Iustices of the Peace if near inhabiting where such seizure is made or otherwise to the next Civill or Military officer who are to be aiding & assisting to you, to be safely convoyed to some convenient house where they are to be safely kept without imbezlement and there to remaine till discharged by law giving Notice to the Attorney Gen^l or to such other person as already is or shall be appointed for a speedy prosecution therof.

6^{thly} You are not in your own name or in the name or names of any other Person or Persons or in Company or Partnership with any other trade as a Merchant for your selfe or as a Factor or agent for any other in or for any Goods or Merchandizes except for necessary Provisions of your family, you are not to absent your selfe from your duty without the leave or approbation of the Surveyor Gen^l for the time being nor remove out of your proper Station for your own private advantage and conveniency or otherwise behave your self upon pain of being suspended from your office.

Given at the Town & Port of Annapolis this 24th day of Decem^r Anno Dom: 1697.

Ed: Randolph Surv^r Gen^l

Mr Robt
Dacres
Surveyors
Commission
for the River
of Nanticoke
& Somerset
County

Edward Randolph Esq^r Surv^r Gen^l of his
Maj^{ties} Customs in the Plantations & Colonies on
the Continent of America and Islands adjacent.
To Robert Dacres Gent^l
By Virtue of a Deputation granted me by the

Hono^{ble} Com^{miss} of his Majesties Customs in London bearing Lib. H. D. date the 13th day of Octob^r 1691.

And in pursuance likewise of Additional articles of Instructions from their Hono^r dated at the Custom house at London the 22nd of Septem^r 1697. Directing me amongst other things that in case of any vacancy of any Officer of the Customs or otherwise to appoint some fitt and able person to serve therein giving notice thereof for their Hono^r directions therein. And finding a Vacancy of an Officer of the Customs in the Rivers Bays Creeks and Harbours in Som^rsett County & in the River of Nanticoke on the Eastern Shoare of the Province of Maryland by the death of John Dashield appointed by Deputation from the Com^{miss} of his Maj^{ties} Customs to be Surveyor of his Maj^{ties} Customs in the s^d Rivers, Bays, Creeks, and Harbours. I doe hereby constitute and appoint you the said Robert Dacres to be Surveyor & Searcher of his Maj^{ties} Customs in Somerset County including also Nanticoke River & the Creeks thereunto belonging on the Eastern Shoare of the Province aforesaid with full power to enter into any Ship Bottom Boat or other vessell, as also into any Shop house Warehouse Hostry or other place whatsoever to make dilligent search into any Trunk Chest, pack, Case, Truss or any other parcell or package w^{soever} for any Goods, Wares or Merchandizes whatsoever prohibited to be imported or exported or whereof the Custome or dutyes, have not been duly paid, and the same to seize for his Maj^{ties} use, and also to putt in Execution all other lawfull powers & authorities for p. 167 the better manageing & collecting the said Dutyes in all things as the law directs, following & observing all such Rules and Instructions as you shall from time to time receive from the Com^{miss} of his Maj^{ties} Customs in England, or from the Com^{miss} of his Maj^{ties} Customs for the time being. Given under my hand and Seale of Office At the Port of Annapolis this third day of Ianuary in the ninth year of his Maj^{ties} Reigne Annoq Domini 1697/8 Edw^d Randolph Surv^r Gen^{ll}

Part of Esqr
Poveys Letter
to his Ex^{cy}
concerning
the Revenue

I have at last rec^d the Accompt from M^r Plater, wth Duplicates, & one from M^r Muschamp wherein they both discharge themselves of the 4th part of the 12^s pth h^d by your Ex^{ncys} Ord^r to remitt the same to England for buying of Arms. But it doth not appear that they have complied therewth nor how the Money has been disposed of here, or that any Arms have been received there for it; Or that it hath been otherwise disposed off, to the Fortifications, Brestworks &^{ca} if there be any. So th^t their Vouchers are both imperfect as to th^t part; Of w^{ch} I give them notice. Nor is there any account or Authentick Copy of the other

Lib. H. D. Moneys raised for the Government or Publick uses of the Countrey; which also ought to be laid before the Lords of the Treasury for their Information; Which is the more expected since some Clamours have been made here of vast Sums raised in that Countrey since your Ex^{ty} Service, th^t it may be seen that care has been th^t whatever has been raised; has been duly applyed; Whereof I believe there is no great reason to doubt.

The above is part of a Letter dated at Whitehall the 21th of October 1697 Written by the Honoura^{ble} John Povey Esq^r one of the Clks of his Majesties most Hono^{ble} Privy Councill and sent to

ffr: Nicholson

Memorandum Copy of the above sent to Geo: Plater & Geo: Muschamp Esq^r Receivers of his Maj^{ty} Revenue within this Province.

p. 172 An account of the Books of Rates &c^a how delivered and disposed off. An Account of Books of Rates, Act of Parliament relating to Trade, paper Books, Paper and other necessaryes sent in from the R^{ty} Hono^{ble} the Comiss^{rs} of his Maj^{ty} Customs for the use of the Collectors of his Maj^{ty} Province of Maryland together with Printed Navigation Bonds for the Navall Officers and Books Rates & printed Acts of Parliament relating to trade p ditto & the severall County Courts of the Province, setting forth how the same are severally dd^{id} and disposed off. Viz^t Jan^{ry} the first 1697/8.

Mr Will^m Bladen Dep^{ty} Collector & Surveyor of the Port of Annapolis passed receipt to the Hono^{ble} Edward Randolph Esq^r Surveyor Gen^l of his Maj^{ty} Customs on the Continent of America & Islands adjacent for the following things delivered Viz^t

A Book of Rates, A Printed Act of Parliament, for preventing frauds, A paper Booke for entring Ships &c^a bound in parchm^{nt} fol^o Tenn Quire of fine paper & halfe a Quire of Large broad Dutch paper One paper of Inck powder, A Penn knife, Three Sticks of Sealing wax, an Ounce of Wafers, A Custom house Jack, A twenty five blanck Parchment Plantation Bonds.

Jan^{ry} the 3^d 1697/8.

Mr W^m Wyvill Riding Surveyor at the head of the Bay &c^a passed receipt as above for the following things deliver'd to him, Viz^t

A Book of Rates, An Act for preventing frauds &^{ca} A Paper Lib. H. D.
Book bound in Parchment, A Penknife and a Custom house
Jack.

Ian^{ry} the 5th 1697/8.

Major W^m Dent Navall Officer of Potomock district passed
rec^d as above for the following things delivered to him. Viz^t
One Book of Rates and one Act of Parliament of his present
Maj^{ties} for preventing frauds and Regulating abuses in the
Plantation trade. One of each ditto for Charles County
Court. Twenty five blanck Navigation Bonds for his own
Office, and twenty Blanck Plantation Bonds, to be delivered
to Geo: Muschamp Esq^r Collector of Potomock district.

Ian^{ry} the 5th 1697/8

Put in the hands of M^r Will^m Bladen aforenamed these
following things Viz^t Three Books of Rates & three Printed
acts of Parliament for preventing frauds &^{ca} One of each sort
to be by him delivered to the Clerks of S^t Maryes, Calvert, &
Prince Georges Countyes to be kept among the other Records
for the use of the said Countyes.

Eodem die

Left in the hands of Henry Denton Clk of his Maj^{ties}
Hono^{ble} Councill & Navall Officer of the Port of Annapolis
the following things Viz^t Three Books of Rates & three
Printed Acts of Parliament as afores^d One of each sort to
be kept among the Council Records for the use of the Govern^r
& Council, One of each Sort for the use of the Provincial
Court and the other for the use of the said Dentons Naval
Office, together with 25 blank Navigation Bonds and halfe a
Reame of fine paper, four Sticks of Sealing wax & a Paper
of Ink powder to be kept for a Reserve.

Left also in the hands of the said Henry: Denton Seaven
Books of Rates and Seaven printed Acts of Parliament for
preventing frauds &^c for the use of Ann Arrundell, Baltimore,
Cœcil, Kent, Talbot, Dorchester, and Somerset Countyes to
be lodged among their County Records and to be sent &
delivered accordingly.

Left also in the hands of the said Hen^r Denton nine Books
of Rates more and nine Printed Acts of Parliament for the p. 173
use of the Collectors and Naval Officers of Pocomoke, Patux-
ent and Williamstadt, and for the Collector of Pocomoke and
Navall Officer of Cœcill County, as also these following things
more for the Collectors of Pocomoke, Patuxent, Williamstadt,
and Potomock, Viz^t For each officer one paper Book for

Lib. H. D. entring Ships bound in Parchment fol^o Tenn quire of fine paper and halfe a quire of large broad Dutch paper. One Paper of Inck powder, a Penknife, four Sticks of Sealing wax, halfe a Box of Wafers, a Custom house Iack and 25 blanck Plantation Bonds for each of the three first mentioned Collectors the 25 Plantation Bonds for the Collector of Potomock being delivered to Major Dent as appears in his Receipt aforementioned.

Hen: Denton Cl Concil.

Mr Wm
Wyvills
Riding
Surveyors
Bond.

Know all Men by these presents that We Will^m Wyvill Edward Dorsey and Charles Carroll of the Port of Annapolis Gentl are hereby holden and firmly bounden unto our Sovereigne Lord King William the third &^{ca} in the full and just sum of five hundred Pounds Sterll to be paid to our said Sovereigne Lord King William &^c his heirs and Successors; to true payment whereof we bind our Selves and every of uss Our heires Executors and admⁿ, and every of them severally and Ioyntly for the whole and in the whole firmly by these presents Sealed and dated at the Port of Annapolis four and Twentyeth day of December 1697.

The Condition of this Obligacōn is such That Whereas the above bounden Will^m Wyvill is by the Hono^{ble} Edward Randolph Esq^r Surveyor Gen^l of his Maj^{ties} Customs on the Continent of America and Islands adjacent appointed and deputed to be Rideing Surveyor not only in the Rivers of Bohemia and Sassafras but also at the heads of all the Rivers on the Eastern Shoare unto Susquehanna River. If he the said Will^m Wyvill shall well and faithfully execute and discharge the said Office and pursue all such Orders and Instructions as he shall from time to time receive from the Hono^{ble} the Comissⁿ of his Maj^{ties} Customs at the Customhouse in London in the Kingdom of England or from the Comissⁿ of his Maj^{ties} Customs and from his Maj^{ties} Govern^r of Maryland for the time being and from the Surveyor Gen^l of his Majesties Customs on the Continent of America and Islands adjacent and in all things relating to his said Office honestly & faithfully demeane himselfe. That then this obligation to be voyd otherwise in full force and virtue.

Signed Sealed and delivered in the presence of.
Thomas Laurence
Hen^r Denton.

W ^m Wyvill	[Seale]
Edw ^d Dorsey	[Seale]
Charles Carroll	[Seale]

London the 7th January 1697/8

Lib. H. D.

P 4 M Invoice of goods Shipped on board the Ship Charles p. 206
 Bartholomew Whitehorne Master by Order of George
 Plater Esq^r for acc^t & Risque of the Province &
 Gov^rmn of Maryland (Viz^t)

		l.	s.	d.
N ^o 1. 2. 3. 4.	In four Chests Cost at . 6 ^d	01:	04:	00
	100 fuzees 3 foot 10 inches long with roundlocks, wall- nutt tree stocks and Cases att 17: 06	87:	10:	00
	36 Worms att 8 ^d p doz.	00:	02:	00
	12 long Moulds, for Guns Carbines & Pistolls 6 holes of each side	02:	08:	00
N ^o 5. 6. 7. 8.	In 4 Chest Cost	01:	03:	00
	100 Slung fuzees with round locks wallnutt tree stocks & Cases. 18:	90:	00:	00
N ^o 9.	In a Casque Cost.	00:	02:	00
	42 bright hamer hatchetts at: 2:	04:	04:	00
	42 black hamer hatchetts at: 1: 6:	03:	03:	00
	50 hand bills att 1: 2:	02:	18:	04
N ^o 10.	In a 4 foot Chest Cost with Corde	00:	13:	00
	6 powder Triers att	00:	18:	00
	6 Convex Lanthorns att . . 8: 6	02:	11:	00
	3 Brass Compass Dyalls att 2: 06:	00:	07:	06
	3 Large Ditto 3: 10:	00:	11:	06
	6 horse pickers att 4	00:	02:	00
	100 Cartouch boxes best sorte 2: 4:	11:	13:	04
	100 Neats leather black belts w th frogs. 1: 4 . .	06:	13:	04
	16 bright hamer hatchetts att	01:	12:	00
	150 fusies for granado shells	00:	11:	00
	6 prospective glasses att. 3 .	00:	18:	00
	150 hand granado shells att 11 1/2	07:	03:	09
	4 hand Mortars at 5d	11:	04:	00
	12 boudge Barrills to Carry powder in	01:	08:	00
	p ^d for Custome of goods. . . 1: 10			
	for Cocquetts & Searchers fees. 15	02:	05:	00
	Porters Cording of Chest loading of goods and Cartidge to the water side	00:	04:	06

Lib. H. D.

	l.	s.	d.
porters shiping wharfidge and lighteridge on Board . .	01:	01:	00
Freight & primage	05:	15:	00
My Commission at 2.½ p C ^t	06:	03:	11
<hr/>			
Err ^r Excepted p Issack Millner.	253:	18:	11
2000 Gun flints instead of w ^t was } short last year	037:	05:	00
<hr/>			
	291:	03:	11

p. 207 And the Accom. humbly Craves Allowance as followeth
To the Cost and Charges of Arms bought by M^r Issack
Millner and Loaden on board the Ship Charles of London
Bath Whitehorne

	lb	s.	d.
Com ^{dr} as p Invoyce am.	253:	18:	11
To M ^r Walter Smiths Bills of Exch on M ^r Peter Paggen remitted him and have no returne or acc ^t thereof.	030:	00:	00
To Jo ⁿ Riddens Bills on D ⁱ no returne	033:	00:	00
To Thomas Blacks bills on Io ⁿ Hyde re- mitted & no returne	05:	00:	00
To Rob ^t Smith Esq ^r Bills Remitted returne & protested	40:	00:	00
To Recomben Stanberry D ^o & Returned protested	24:	19:	00
To Jo ⁿ Millers Bill for the Ship John & Edeth ditto	30:	15:	06
To Sam ^l Holdsworth's bills on Io ⁿ Hyde	26:	00:	00
To William Sharp Bills on Io ⁿ Hyde for } w ^{ch} paym ^t M ^r Io ⁿ Hawkins is bound }	53:	17:	00
To James Smiths Bills on Stratton	26:	14:	06
To Sam ^l Raceys Bills on Ionathan Scarth	19:	00:	00
To M ^r Richard Benetts Bills on M ^r Lemon	24:	00:	00
To Coff Courts Order payable Jo ⁿ Cissle } for fixing Arms according to order of Councill }	08:	00:	00
To Cash Allowed his Ex ^{cy} for acc ^t of Arms M ^r Perry sent in (Viz ^t) five brass Com- passes five horse pickers 18000 flints & 6 prospective glasses }	22:	10:	00
To ditto p ^d Jo ⁿ Unthanke as p Receipt for setting up the flagg	02:	05:	00
To Ditto p John Steward as p Ditto for fixing the Arms.	04:	10:	0

Proceedings of the Council of Maryland, 1696/7-98. 367

George Plater Esq^r his Matys Receiver of Patuxent District D^r to his Maty upon the acc^t of 3^d for Arms Ammunition &c as appears by the Iournall of the Councill fol 533 July the 3^d 1697 Lib. H. D.

	lb.	s.	d.
	622:	06:	01 3/4
for which the said Receiver Craves Allowance (Viz)			
for Arms &c. Sent in by Cap ^t Peter Paggen			
am ^u to	253:	18:	11
for Sundrys payd here	037:	05:	00
	291:	03:	11

£622:	06:	1 3/4
291:	03:	11
£331:	02:	4 3/4

At a Councill held at Battell Town in Calvert County the 11th day of Ian^{ry} 169/8. In the ninth year of his Maj^{ty} Reign.

Present

His Ex^{cy} ffrancis Nicholson Esq^r Cap^t Gen^{ll} &^{ca}

Coll ^o Henry Iowles	}
Thomas Tench Esq ^r	
Coll ^o John Courts	
Thomas Brook Esq ^r	
Edw ^d Randolph Esq ^r	

Severall persons Petitions for the Cryers place of the Provincial Court of this Province being preferred and considered, the same was thought fitt to be conferred on Iohn Stanley, in consideration of his performance of those things set forth in his Petition, w^{ch} follows in these words Viz^t

To his Ex^{cy} ffrancis Nicholson Esq^r Cap^t Gen^{ll} & Govern^r in Chief in and Over his Maj^{ty} Province of Maryland &^{ca}

The hum^{ble} Petition of John Stanley.

Sheweth

That yo^r Petitioner being Zealously inclin'd to promote the interest of the ffree School to be built in the Town & Port of Annapolis (more especially induced thereto through the advantage he himsef hath receiv'd, by a Charitable Education) does humbly Offer & propose; that whereas the Cryers place of the Provincial Court of this Province, is now become vacant by death of the party th^t Officiated the same;

Lib. H. D. Your Peticōner humbly prayes he may be admitted thereinto, being freely willing to bestow all the Proffits, perquisitts & fees of the two first years thereby accruing unto the use of
 p. 619 the said School, w^{ch} (if granted) he desires may be laid out in building a Warehouse to the use aforesaid, and that in Order thereto there may be assign'd, such a convenient quantity of ground as the Law in that case directs, so soon as the time limmitted by the Act for building Warehouses is fully expired. That yo^r Petitioner designs building a Twenty five foot dwelling house this next Summer, having already agreed & paid for the frame thereof to be delivered him in the Spring, w^{ch} is to be a good Substantiall saw'd frame wth Cædar posts & groundcells, the w^{ch} (if please God yo^r Petitioner should happen to dye before the end of the two aforementioned years) he freely bequeaths & bestowes to the use of the said School; and provided he may have the sole management and use of the afores^d warehouse, during his naturall life; he freely bequeaths both the one & the other, to the uses aforementioned, after his decease, and withall humbly desires that the Hono^{ble} the Govern^r and Trustees of the said Schoole will please to cause this to be made a Record in the Comis-saries Office, as his last will and Testament in these two particulars, utterly excluding all other Wills, w^{ch} for the future shall or may be made to the contrary

By yo^r humble Petition^r
 John Stanley.

Read a Petition of M^r Gerrard Vanswaringhen, humbly pray redress ag^t M^r Rob^t Mason high Sherriff of S^t Maries County for stopping some Publick Tobacco of his, out of pretence of some debt owing by the Peticon^r to the said Mason &^{ca}

The said Petition was by Order referred to M^r Rob^t Mason aforementioned who upon refusing to make the Petitioner satisfaction; and that if it did appear the Allegations in the Petition set forth are true. His Majesties Lawyers are to make such proper proceedings thereon, in behalfe of the Petitioner as in the Law such case directs.

Their Ex^{cy} the Lords Iustices Proclamation for publishing the peace &^{ca} and the Order of the R^t Hono^{ble} the Lords of the Councill for Trade & fforeign Plantations were by Order read and the Articles shew'd to his Hono^r Esq^r Tench & Coll Courts, who had not before seen them:

Then read the direction from the R^t Hono^{ble} the Comissⁿ for executing the Office of Lord high Admirall of England, Ireland &^{ca} dated 29th of Aprill last past, & formerly produced in Councill. Empowering his Ex^{cy} ffrancis Nicholson Esq^r to

grant Commissions to S^r Thomas Laurence Baron^t to be Iudge, Lib. H. D. Henry Denton Reg^r and Thomas Collyer Marshall of his Maj^{ties} Court of Vice Admiralty for the Province of Maryland. And it being signified th^t S^r Thom^s Laurence having already made his excuse of his disability by sickness and his being taken up wth other matters, relating to the Secretaryes place; and his Hono^r Coll^o Robotham being appointed already Iudge of the said Court in all the Counties on the Eastern Shore. It is Ordered that the Hono^{ble} Thomas Tench Esq^r be constituted in like manner Iudge of his Maj^{ties} Court of Vice Admiralty on the western Shore Henry Denton Reg^r and Thomas Hutchins Marshall thereof. p. 620

Produced and read the Commission formerly produced for Administring an an Oath to his Ex^{cy} the Govern^r of Maryland; which said Oath in the said Commission contain'd was publickly administred unto his s^d Ex^{cy} Francis Nicholson Esq^r by the Gentlemen of his Maj^{ties} honoble Councill present & George Muschamp Esq^r one of the Comiss^{rs} therein nominated in p^sence of severall persons then mett together in the Court House of Calvert County.

The Hono^{ble} Thomas Brook Esq^r came and was aded The Collect^{rs} of his Maj^{ties} Customes of Patuxent & Potomock districts are told by the Hono^{ble} Edw^d Randolph Esq^r Survey^r Gen^{ll} of his Maj^{ties} Customes on the Continent of America & Islands adjacent how that he was directed to acquaint them from the R^{ts} Hono^{ble} the Lords of the Treasury and Comiss^{rs} of his Maj^{ties} Customes that they considered to settle Sallaries on each of them for their Encouragement and to Enable them to keep boat and hands to go on board all Shippes & Vessells to examine their Loading inwards & outwards and as an addition to the 20 p Cent now only allowed them for their Collection of the penny p pound giving them also an account of the paticular care the said Comiss^{rs} had taken in sending all the Collectors severall necessities of Bookes, Inke, waxe, wafers, paper &^{ca} for their respective Offices, the w^{ch} they were Ordered to send for being lodged with the Clerk of the Councill at the Port of Annapolis.

Their Ex^{cy}s the Lords Iustices Instructions to his Ex^{cy} the Governour in relation to trade, as also his Maj^{ties} Commission for administring the Oath of Trade to his Ex^{cy} were delivered to the s^d Collectors and Navall Officers present for them to go aside & read them over by themselves.

Produced by the Hono^{ble} Edward Randolph Esq^r a Comission under the hands & Seale of the Hono^{ble} the Comiss^{rs} for prizes, dated the third of July 1697, constituting him Surveyor Gen^{ll} for prizes in all the Colonyes & Provinces

Lib. H. D. on the Continent of America, & in all the Islands thereunto belonging &^{ca} As also their Agent where no other persons are appointed.

Then produced two severall Comissions under the Seale of the Admiralty of England bearing date 17th of June 1697. and directed to the s^d Esq^r Randolph, Thomas Robinson, and John George; Empowering them to examine into imbezlements of all prize Shippes and Goods &^{ca} and to make appraisements and to dispose &^{ca} all w^{ch} were severally read over. His Ex^{cy} is pleased to signify to the Gentlemen of his Maj^{ty} Hono^{ble} Councill that the Chief reason of giving them this trouble of meeting here at this time, was to consult & take their advice about calling of an Assembly, w^{ch} upon this joyfull & happy news of a peace, in order to appointing a day of publick thanksgiving to be solemnly kept for the same, and for settling the matter about the Indians and Rangers and for other weighty reasons importing his Maj^{ty} and the Countreys service; besides his dayly expectation of some further Commands from his Maj^{ty} by the Shippes now coming. he holds it to be highly necessary & convenient that an Assembly be called to meet as soon as it is possible for them to be gott together & therefore willed them to give their opinion. Whereupon after deliberate & mature consultation
p. 621 therein had it is agreed and concluded that an Assembly be called to meet and sit at the Town & Port of Annapolis the 23^d day of ffeb^{ry} next and Ordered accordingly that Writts of Election immediately issue out of his Maj^{ty} High Court of Chancery to the severall Sheriffs of the Province according to usual forme, for the Collecting of four Delegates for each County & two for the City of S^t Maries, as by the Act of Assembly of this Province in th^t case is prescribed and directed.

It being consider'd th^t the Provincial Court stands adjourn'd to the last Tuesday in ffeb^{ry} So th^t by consequence the Assembly will come to interfere therewith, w^{ch} is thought inconvenient th^t they should sitt both at one time; therefore Ordered th^t the s^d Court be farther adjourn'd untill the sixth day of Aprill next and th^t Proclamation issue accordingly, which difference of time, is thought will be no waies prejudicall to any Law Suites now there depending.

Pursuant whereto a Proclamation being prepared was read and approved off and signed by his Ex^{cy} & passed the Broad Seale of the Province; the Teno^r whereof follows in these words Viz^t

By his Ex^{cy} the Cap^t Gen^l &^{ca} A Proclamacōn

Lib. H. D.

Maryland ss

Whereas upon the late joyfull & happy news signified unto me from the R^{te} Hona^{ble} the Lords of the Councill for Trade & fforreign Plantations, of a Peace concluded between his Sacred Majesty and the ffrench King, it hath been maturely considered by his Maj^{ties} Hono^{ble} Councill of this Province th^t the speedy calling of an Assembly will be highly necessary and expedient; ffirst for the better solemnizing a day of Public Thanksgiving to be appointed & sett a part for such an inestimable blessing under the Divine Providence procured by his Maj^{ties} most puissant Armes and unparralleled conduct & valour; Secondly for settling the matter about the Indians & the new additional Rangers w^{ch} 'tis hoped may not be necessary now longer to be continued; and for severall other weighty affairs importing his Maj^{ties} and the Countreys Service; Expecting likewise some further Commands from his Maj^{ty} and their said Lo^{ps} by other Shippes dayly expected, w^{ch} may be necessary to be laid before an Assembly, for w^{ch} reasons it hath been this day concluded in Councill th^t an Assembly meet at the Town & Port of Annapolis the 23^d day of ffeby^{ry} next ensuing the date hereof To which end Writts of Election are Ordered to be issued as usual in such case But forasmuch as the Provincial Court of this Province stands adjourned to the last tuesday in ffeb^{ry} by w^{ch} means the said Assembly will consequently interfere therewith, w^{ch} is judged inconvenient that they be held both at one time; And forasmuch as I am inform'd the present business of that Court may without prejudice or damage be put off until some further time. I do by and wth the advice of his Maj^{ties} Hono^{ble} Councill think fitt to to further adjourn the said Court until the sixth day of April next ensuing the date hereof; and the same is hereby adjourned accordingly. Comanding that p. 622 all writts, precepts & process returneable to the s^d Court be continued & in full force untill the s^d sixth day of Aprill. The severall Sherriffs of the Province being hereby strictly charged & required forthwith to give notice and make Proclamation thereof in all Churches, Chappells & other publick places of meeting within their respective Counties, whereunto all persons concern'd are to yield all due and ready obedience at their utmost perill; Given at Battell Town in Calvert County under the Broad Seale of the Province this 11th day of Jan^{ry} 1697/8 in the ninth year of his Maj^{ties} Reign.

ffr. Nicholson

God save the King.

Lib. H. D. The said Proclamation was by Order indorsed as follows
Viz^t

By his Ex^{cy} the Govern^r & Councill, Jan^y 11th 1697/8

Ordered that the Sherriffs give due notice to all persons (qualified to vote for Delegates within their respective Balywicks) that they omit not to be at the Election when appointed, and proceed in all things according to the directions of the Act of Assembly in such case. And that the Sheriffs make returne of the Indentures according to Law And th^t they likewise give notice that notwithstanding the adjournment of the Provinciaall Court the Court of Chancery and the Commissaries Court will sitt the last Tuesday of febr^y as also the Govern^r & Councill for hearing appeals & writts of Error.

Signed p Order

Hen^t: Denton Cl Cuncil

Ordered that the Colonel or Commander in Chief of the Militia in each County within this Province give notice to their severall Officers to send Lists of their respective Troops and Companies & accoutrem^{nts} &^{ca} (where the same are not already sent) pursuant to former Order as also lists of the New forces Ordered to be raised, and of the Publick Arms & Ammunition belonging to each County; and that they likewise send an acco^t of what publick powder they have changed pursuant to the Ordinance of Assembly and what remains; and whether the publick Arm's are well fitted & fixt up; and th^t the s^d Officers have notice by the Sherriffs to be at the Election of Delegates within their respective Counties and signify to the Persons (chosen to serve for the same) their opinion concerning the Militia as now Regulated, whether it would not be better to new modell the same according to the manner of England & former proposalls in Assembly made to that purpose And 'tis hereby further Ordered that the Sheriffs (after the Election of Delegates is over) give due notice to the Severall persons chosen that they be very carefull to thoroughly inform themselves of the true state and Condition of the respective Counties for w^{ch} they serve, particularly in all the foregoing matters observed to the Militia Officers And th^t they likewise inform themselves of the true State & Condition of the respective County for w^{ch} they serve, particularly in all the foregoing matters observed to the Militia Officers And th^t they likewise inform themselves how the Tobacco raised for defraying the Publick charge of the Province & respective Counties is disposed off, and what way the 40 p poll is laid out; what Condition the Churches and Court

houses are in and how the publick Records of the Counties are kept: what grievances in Generall they want to have redrest or any thing else fitt to be imparted; and that the Delegates of those Counties where any Indians are resident do informe themselves well about them, in what Order or condition they live. And that the Sherriffs give likewise notice to the Gentlemen by Act of Assembly appointed for deciding differences betwixt the English and Indians that they omitt not to send an account by the Delegates of their Counties what Occurrances they have met wth since their being Empowered, and what state the Indians are now in; And lastly the Sherriffs are hereby obliged to give abstracts of the particulars of this Order to the severall persons concern'd where necessary, and to signify to them his Ex^{cyes} strict charge for their making due & proper returns to the severall particulars therein mentioned, w^{ch} they are to send up by the Delegates of the Assembly before whome he is intended to lay the Same; And hereof they are in no wise to faile at their utmost perill.

Ordered that the Sherriffs give notice to the Vestrymen of each Parish within their respective Counties that they Omitt not to returne (by some of the Delegates of the Assembly) Copyes of their proceedings and this years account of the 40 p poll wherein they are to take care that the said Tobacco be laid out according to the directions of the Act of Assembly; as also return an exact account in what state their Churches now are, and th^t the Sherriffs serve them severally with a Copy of this Order.

Ordered that the Sheriffs give publick notice to all persons wthin their respective Counties that such as have any publick claimes to putt into the Assembly may prepare their accounts ready & make Oath to the same and send them up by the County Burgesses for allowance, as the Law in that case directs, w^{ch} (if neglected) they may perchance otherwise loose.

Ordered that the Receivers of his Maj^{ties} Revenues within this Province prepare their accounts ready and be here with the same att the Assembly appointed to meet at the Port of Annapolis the 23^d day of ffebu^{ry} next in Order to make Oath to the Same and that they take all imaginable care for the due and speedy collection, of all fines and forfeitures accruing to his Majesty within this Province.

Ordered that the Treasurers of the Eastern & Western Shores of this Province prepare their respective accounts ready and bring the Same to the Assembly appointed to meet at the Port of Annapolis the 23^d day of ffeb^{ry} next in Order to make Oath thereto, and that they give strict charge to the

Lib. H. D. Sherriffs for the speedy collection of the severall Sums of tobacco &^{ca} by Act of Assembly due from publick Officers whereby they may be capable to render an Account thereof to the Assembly, by reason the same will then be wanted. But in case of Sickness of the said Treasurers or disability to travell, th^t then the Treasurer of the Eastern Shore make Oath to his accounts before the Hono^{ble} Coll^o George Robotham, and the Treasurer of the western Shore before the Hono^{ble} Henry Lowe Esq^r and transmitt the same to be laid before the Assembly accordingly.

Ordered that the Collector of each district within this Province prepare their severall accounts & Lists of Shipping ready and be here with the same at the Port of Annapolis about tenn dayes after the beginning of the Assembly appointed to meet the 23^d day of febr^y next in Order to make Oath thereto, whereof they are in no wise to faile.

p. 624 Ordered that the Navall Officers of this Province prepare their severall accounts and Lists of Shipping ready & be here with the Same at the opening of the Assembly appointed to meet at the Port of Annapolis the 23^d day of febr^y next in Order to make Oath thereto, whereto they are in no wise to faile.

His Ex^{cy} delivers to George Plater & George Muschamp Esq^r Receivers of his Majesties Revenues within this Province a Letter to each of them inclosed in one of his own rec^d from the Hono^{ble} John Povey Esq^r one of the Clerks of his Maj^{ties} most Hono^{ble} privy Councill; part of w^{ch} s^d Letter to his Ex^{cy} bearing date the 21st day of October last past, relating to the Revenue was read to the said M^r Plater & M^r Muschamp and was Ordered to be Recorded and Copy thereof to be delivered to each of th^m

Produced and Read a Letter from M^r Philip Clarke unto his Ex^{cy} sent & directed, bearing date the 10th instant, as also another from M^r George Lingan, bearing date this day, whereby they both excuse themselves from giving their attendance, pursuant to summons, being disabled to travell through Sickness.

The rest of the persons summoned were called over and accordingly appeared Kenelm Cheseldyn Esq^r M^r Plater, M^r Muschamp, Major William Dent, M^r Watkins, M^r Cloud, M^r Cooksey, M^r Husbards, M^r Vanswaringen, John Shanks, and Notley Maddox.

His Ex^{cy} is pleased ty tell them that he had a matter to impart to th^m which did not only concern himselfe, but the Creditt and reputation of the whole Countrey Being some complaints made by one M^r Gerrard Slye, form'd into severall Articles of charge against him & laid before their Ex^{cy} the

Lords Iustices of England, wherein they are said to be Lib. H. D.
witnesses to attest the truth thereof, upon w^{ch} account they
were now summoned and therefore did require that they
would answer severally upon their Oaths what they had to
say in every of the said articles.

Articles of Charge ag^t ffrancis Nicholson Govern^r of Mary-
land &^{ca}

1st He intercepts and causes to be intercepted packetts
and Letters directed to persons in Maryland and Virginia and
elsewhere to the great prejudice of those concern'd.

M^{rs} Mary Vanswaringhen, M^r George Plater, M^r Sam^l
Watkins & Henry Denton Witnesses Nominated to attest
the s^d Article were called and severally sworn before the
Honord Thomas Tasker Esq^r one of his Maj^{ties} Iustices of the
Provincial Court in presence of his Maj^{ties} Hono^{ble} Council, to
declare what they knew as to the said Article, w^{ch} was
deliberately and distinctly read unto them; who upon their
Oaths do severally say They know of nothing wherein they
can charge his Ex^{cy} the Govern^r with any such thing But
M^{rs} Vanswaringhen says she once rec'd a Letter for Cap^t
Cood, w^{ch} Cap^t Slye took from her and would not let her have
it againe, thò he promised upon the word of a Gentleman to
Return it to her, She faithfully promising to gett it safely
convey'd to him the said Cood. Henry Denton saith that his
Ex^{cy} has been so farr from intercepting of Letters that he
has at all times used his utmost Endeavour & care in Order-
ing the quick and speedy dispatch of all Letters to the
severall p^{sons} to whom directed.

M^r Sam^l Watkins saith that Cap^t Slye & he went on Board
the Shipp Globe (Cap^t Harriss Com^{mander}) at her first arrivall
in Patuxent River last year, where they met wth M^r Plater & p. 625
some other persons on board; after some discourse passed
Cap^t Slye asked Cap^t Harriss for his List of Letters, who told
him he had no list, but would shew him what he had, where-
upon after perusall of the same, the s^d Cap^t Slye took a
packet directed for his Ex^{cy} S^r Edmund Andros his Maj^{ties}
Govern^r of Virginia, another for the Com^{odore} then in
Virginia, according to the best of his remembrance, and
severall others directed for persons in Potomock, w^{ch} the s^d
Slye undertook to gett safely conveyed as directed.

George Plater Esq^r does also attest the same, and says he
told Cap^t Slye there was an Ordinance of Assembly for taking
care of Letters therefore willed him to see those Letters w^{ch}
he took should be all sent away and deliver'd.

5th Article read, Viz^t He hath often by an Arbitrary &
Military power seiz'd mens Estates & Writings

M^r Sam^l Cooksey, M^r James Crauford, John Shanks

Lib. H. D. witnesses nominated to attest the said Article were called & sworn in like manner as the former to say the truth of their knowledge concerning the said Article w^{ch} was read unto them; who upon their Oaths do say, they know of no such thing; only John Shanks says, he (by viture of an Order of his Ex^{ty} and Councill) once seiz'd some papers belonging to Cap^t John Cood w^{ch} he carryed up to Annapolis; being then under Sherriff to M^r Rob^t Mason High Sherriff of S^t Maries County.

6th Article read Viz^t He grants speciall Commissions to all Spiritual Courts contrary to any Law or Act of Assembly of that Countrey, and gives a Commission to call a Court in one mans, and suffered the Iustices to try Causes in another mans name. Major Will^m Dent & M^r Sam^l Watkins, witnesses nominated to attest the said Article, were called & sworne in like manner as the former to say the truth of their knowledge concerning the said Article, w^{ch} was read unto them; who desire they may give their answer thereto in writing, and was accordingly done as followes,

Viz^t As to the Article charging that the Govern^r has granted Commissions in especial Courts in one mans name & suffering the Iustices to try the cause in another, and vouching me Will^m Dent to attest the same I depose that I never knew any such thing by the Govern^r

But that I being Attorney of Thomas Aishwick (who was factor of John Rogers of Plymouth Merchant) about thirty odd hogsheads of Tobb^o that Cap^t Slye had taken & sent on board Cap^t Sam^l Scurry belonging to s^d Rogers & Aishwick we petitioned that it being a matter of Trade; We petitioned his Ex^{ty} for a special Commission for a speedy tryall, w^{ch} was granted, and we filed severall declarations ag^t Scurry for thirty hh^{ds} of tobacco at Suite of Rogers & ag^t Slye for two or three hh^{ds} of Tobacco in the name of s^d Rogers Merchant and all the actions save one, Slye agreed to pay debt and cost himselfe; and the other action being ag^t Scurry for the thirty hh^{ds} Cap^t Slye was baile for and managed at tryall, upon w^{ch} we had judgement against him on a tryall; from w^{ch} Iudgment Cap^t Slye said he would appeale; but I never saw any more than that Cap^t Slye asked some persons then p^sent to be bound with him for the appeal, but they refused. Samuell Watkins saith that he knoweth nothing of his Ex^{ty} granting any Commission or Commissions of Oyer & Terminer for tryall of causes contrary to law within this Province. S. Watkins.

14th Article read; Viz^t He hath Erected a Town in a very ill remote place of the Province which he hath named Annaplis, where he holds the Provincial Court enjoyned all Officers to live there, hath put the Countrey to an unreasonable charge

thereby to no purpose—and to add to the charge an ill convenience, Ordered all manner of persons that hath business at common law or Chancery to come there on all occasions, and also summoned all manner of persons, bearing any sort of Office to attend there to no purpose but to expence & trouble. Lib. H. D.

M^r Richard Cloud, M^r Will^m Husbands & Notley Mattox, Witnesses nominated to attest the said Article, were called and sworne in like manner as the former, to say the truth of their knowledge concerning the said Article, w^{ch} was read unto them; who upon their Oaths do say they are well enough satisfied wth Annapolis & have nothing to object against it.

16th Article read; Viz^t He hath put the Countrey to an unreasonable charge his building of Churches too bigg & too chargeable for that Countrey, to the great prejudice of so good a worke, and upon land belonging to private persons, and in places not proper nor convenient to build Churches on.

M^r Richard Cloud, M^r Sam^l Cooksey and John Shanks witnesses nominated to attest the s^d Article, were called & Sworne in like manner as the former, to say the truth of their knowledge concerning the s^d Article, which was read unto them; who upon their Oaths do say they know of no such thing, but are sensible that the Vestry of every Parish were left to their own discretion to build Churches as they saw fit, and as the 40 p poll would hold out.

17th Article read; Viz^t There is 40^l: of tobb^o p head settled on the Church and Clergy throughout the Province w^{ch} he abuseth by not applying it as intended, and Orders the Clergy to be defrauded, to the great prejudice of carrying on so pious a worke in that Countrey.

M^r Richard Cloud and M^r Sam^l Cooksey witnesses nominated to attest the s^d Article, were called and sworne in like manner as the former, to say the truth of their knowledge concerning the said Article, w^{ch} was read unto them; who upon their Oaths do say that M^r Thomas Davies Minister of their Parish was allowed more then his due out of the 40 p poll. And that they dont know his Ex^{cy} ever defrauded the Vestry of any Parrish out of the 40 p poll.

All the persons before sworne do again severally take their Oaths upon the Holy Evangelist that they never had the least notice from his Ex^{cy} or direction or knew what they were summoned about till their now being Sworn to the Articles before mentioned.

2nd Article read Viz^t He collects & Receives money upon Shippes for all tobacco brought from Virginia and Shipt on board Shippes Riding in Maryland contrary to Law or any Act of Assembly, of that countrey.

George Plater, & George Muschamp Esq^r & Major Will^m

Lib. H. D. Dent, witnesses nominated to attest the s^d Article were called, and upon hearing the said Article read Do say that
 p. 627 the Act of Assembly does direct, the Collection of the duty of 01^t: 06^d: p^r h^d for w^{ch} they referr themselves to the said Act; and their opinions upon an Order of Refference about the Collection of 6^d p^r h^d on tobacco brought out of Virginia.

His Ex^{cy} demands of the severall Gentlemen of the Council what they can say concerning the severall Articles laid gainst him by Cap^t Slye, this night read unto them; who make answer that they can say nothing in Affirmation of any one Article therein contain'd; but find the same altogether frivolous, idle & impertinent.

Ian^{ry} the 12th 1697/8.

The Council again Sate and were present as yesterday. Cap^t Iohn Bayne & M^r Will^m Taylard being by Summoned to this Council came this day & made their appearance; Whereupon the 7th 10th & 11th Articles were in Order read as follows viz^t.

7th He keeps the present Assembly on foot by a writt dated after they first sate, sends forth writts for fresh members, though others are legally Elected & alive.

10th Such persons as has been not dissatisfyed to the King and Government he putts into Offices of the Government.

11th Such persons as hath been truly Loyall to their Majesties & first appeared for them & Government he not only prosecutes & disturbes, but calls them Rebels & Traytors and threatens to hang them.

M^r Will^m Taylard being question'd to the said three articles made oath upon the Holy Evangelist before Cap^t Thomas Tasker (one of his Maj^{ties} Iustices of the Provincial Court) in Council, that he utterly denyes his knowledge of any such things as mention'd in the said three Articles.

p. 158 Cap^t Bayne being sworn to the 17th Article yesterday taken notice off and now again read; does (upon his Corporall Oath taken) say he is an absolute stranger to any such thing, and th^t if he had known what he had been summoned about, he could have given some better account and therefore craves time to make his further answer. M^r Taylard declares upon his Oath, he had no cognizance of what he was summoned about, and being asked by his Ex^{cy} about a letter he rec^d from Cap^t Slye touching some reflections in the said Letter cast upon his Ex^{cy} The said Taylard confesses he has such a Letter by him, w^{ch} he will at any time produce.

M^r Sam^l Watkins of Calvert County being sent for came.

He is asked to give an account what he knows concerning Lib. H. D.
Cap^t Slyes discoursing about her Grace the Dutchess of Grafton, who says that the said Cap^t Slye told him how that he had great interest with the Dutchess of Grafton, and through her interest he stood fair for the Government if he would accept of it, but did not think it worth his while; and that he was to have the said Dutchess of Grafton, or words to that Effect.

The said M^r Watkins made Oath to the above matter before Cap^t Thomas Tasker, one of his Maj^{ties} Iustices of the Provincial Court in p^rsence of his Ex^{ty} and Council, and withall does declare that he acquainted his Ex^{ty} therewth voluntarily of his own accord—And further says that he rec^d a Letter from the said Cap^t Slye wherein he has cast severall reflections upon his Ex^{ty} and also says that he has p. 628 heard th^t M^r LLeuellin M^r Mason and M^r Taylard rec^d such like Letters from the said Slye to the said Effect.

His Ex^{ty} is pleased to Command the Kings Lawyers, in his Maj^{ties} name, to take out process ag^t the said Slye, at the suite of his Majesty in both the foregoing matters, so soon as he shall arrive in this Province and does likewise Order that, they make demand off the aforementioned letters from the severall Persons aforementioned, w^{ch} if they refuse to deliver that then they charge them in his Maj^{ties} name not to part with them, but have them forth comeing; and that they take care to have the parties summoned as Evidence for the King.

Several persons preferring Petitions to this Board, signifying that Severall Sums of Publick Tobacco were assigned and allowed them in S^t Maries County, during the time of M^r Iohn Coods being Sherrieff of the s^d County w^{ch} they know not how to come by now the said Cood is fledd out of the Province; Ordered that the s^d matter be referred to his Maj^{ties} Lawyers for their management, and th^t they cause a note to be set up at the Court house dore in S^t Maries County to give publick notice to all persons that had any publick tobacco assigned them in the said Coods hands (and not yet satisfyed) to bring in their accounts thereof sworne to before some Magistrate and deliver the same to Geo: Plater or George Muschamp Esq^r or Major Will^m Dent or any of them, who are hereby Ordered to take all due care that the same be discharged as fast as can be collected out of the Effects of the said Cood, and that they proceed therein; as also in securing his Maj^{ties} Debt due from the said Cood in all things according to Law.

Produced a Letter of M^r Robert Masons directed to Coll John Cood Dated Decem^r 10th 1697. whereby it appears there has been private correspondence held betwixt the said

Lib. H. D. Cood & him contrary to the Tenour of his Ex^{ty} Proclamation Ordered that his Maj^{ty} Lawyers prosecute the said Mason thereon, and th^t a copy of the said Proclamation be delivered to them, together with the aforementioned Letter after it is Recorded.

Major Walter Smith, Cap^t Will^m Parker, M^r Francis Hutchins and M^r Sam^l Houldsworth, ffour of the Iustices of Calvert County came and humbly moved his Ex^{ty} in Council, that whereas they had been lately summoned to appear before his Ex^{ty} in Council the last Tuesday of febr^y next to answer a certain contempt to an Order of Council for dismissing M^r James Crauford Attorney at Law from pleading in any of the Courts of the Province, w^{ch} they humbly desire may be forgiven them, pleading ignorance in what they did Ordered that the said return be delivered to Major Smith, that if the said Commissioners will give anything under their hands as an acknowledgment of their Error, he will upon this news of a peace, remit their offence whereupon the paper was delivered to the said Major Smith at the Board, he giving a Receipt for the same.

A Dispute arising betwixt the Hono^{ble} Edw^d Randolph Esq^r Surveyor Gen^l of his Maj^{ty} Customes on the Continent of America &^{ca} And Peter Ienings Esq^r Collect^r of his Maj^{ty} Customes in Patuxent District, as to the limitts of the s^d district and appointing Deputies &^{ca}

It is Ordered th^t the said Esq^r Randolph Revoke his Com^{missions} of Collect^r granted to M^r Collyer & M^r Bladen for the Ports of Annapolis nnd Williamstadt, and that he give them Com^{missions} for being Survey^{rs} of those places; but th^t the said M^r Ienings continue his Deputies at those Ports as formerly, and that M^r Collyer be continued Navall Officer of the Port of Williamstadt afores^d, but that his former Commission, wherein he is constituted Riding Survey^r be vacated as before Ordered, and that a new Commission be granted him for being Navall Officer of that Port.

p. 629

His Ex^{ty} is pleased to signify that he had shew'd to Esq^r Randolph all the Lists of Shipping since his being concern'd in the Government as also what he brought out of Virginia, and th^t he likewise gave him the Perusal of the two Lists rec^d from the R^{ty} Hono^{ble} the Com^{miss} of his Maj^{ty} Customs, one of the Shippes giving Bond in England to go to Virginia & Maryland to return to England Wales or Berwick only, in the years 90: 91: 92: 93. and a list of certificates to discharge Bonds for Shippes th^t gave Bond in the Plantation to come to England Wales or Berwick only.

It is demanded of the Board if they knew of anything else for his Maj^{ty} service to be offered at this time; who having nothing further to offer they broke up.

At a Council held at the Port of Annapolis the 15th day of Lib. H. D.
feb^r 1697/8. in the tenth year of Maj^{ty} Reign.

Present.

His Ex^{ty} ffran^t Nicholson Esq^r Cap^t Gen^l &^{ca}

S^r Thomas Laurence Baron^{tt} Sec^{ry} }
Thomas Tench Esq^r }
Edward Randolph Esq^r }

It being considered that his Maj^{ty} Royal Comands is not yet come to hand, and that it hath pleased Almighty God th^t the weather continues still so sharp and severe that it is imagined severall of his Maj^{ty} writts of Election for the Assembly meeting at this place 23^d of feb^r instant are scarce got over to the Eastern Shore and for that reason will occasion but a small appearance of Members, whereby to proceed business; therefore thought necessary that the said Assembly be deferred, putt off and prorogued untill the eighth day of March next. Upon consultation had concerning the legall way & manner of prorogueing an Assembly before their being met, and a case being cited out of my Lord Cooke touching the manner of holding Parliaments which was produced and read by M^r Rob^t Gouldesborough one of his Maj^{ty} Counsell at Law, being called for his Opinion & Advice therein, whereby there appears an absolute necessity for the meeting some of the House of Delegates, at the day & place by his Maj^{ty} Writt of Elections appointed Ordered therefore that the Sheriffs of Ann Arrundell, Calvert & Prince Georges Countyes forthwith upon sight hereof give notice to the Delegates and Representatives chosen to serve for the said three Counties that they in no wise omit nor faile being here by the 23th of feb^r instant, the time appointed by his Maj^{ty} said Writt of Election in Order to a prorogation of the said Assembly intended (God willing) to be deferred & putt off until the eighth day of March next; but that writts in the interim issue under the Broad Seale to the severall Sheriffs of the Province to give notice and the reason of such intended prorogation to prevent the rest of the Delegates meeting and save a further charge to the Countrey. p. 630

The writt follows viz^t

Maryland ss

William the third by the Grace of God of England
Scotland ffrance & Ireland King Defender of the ffaith &^{ca}
To the Sheriff of ——— County Greeting.

Whereas by our certain writt of Election unto you directed bearing date the 11th day of Ian^r last past., thereby Empow-

Lib. H. D. ering you to call together four or more Comissⁿ of your County with the Clerk to sit as a Court; and during their sitting (by virtue of your Office) to make or cause to be made publick Proclamation; thereby giving notice to all the free-men of yo^r said County (authorized by law) to appear at a certain day & place appointed for the Electing and choosing of four Delegates or Representatives to serve for yo^r County at a Gener^l Assembly to be held at our Town & Port of Annapolis the 23^d day of Februa^ry instant, as by recourse to our said Writt being had may more fully and at large appear. But forasmuch as it hath pleased Almighty God that the weather continues still so sharp and extreme hard as to keep fast lockt up most of the Rivers Bayes & Creeks within this our said Province (Scarce ever known the like) insomuch that it is imagined severall of our said writts issued and sent to our Sheriffs residing on the Eastern shore, are not yet come to hand, and therefore cannot with any probability expect a full meeting nor sufficient number of Members to make a full Assembly (by the day and time prefixed) to do and to consent to those things which by the favour of God might happen to be Enacted & Ordained by the advice and consent of the Great Council of our said Province. We do for the reasons aforesaid intend (God willing) to deferr, putt off & prorogue the the meeting of the said Assembly to the eighth day of March next; Comanding you forthwith to give speedy notice thereof, as well to the Members of our Privy Council as House of Delegates residing within yo^r Balywick, who are in no wise to faile then to meet, at our Town and Port of Annapolis afores^d according to Adjournment. And you are likewise Comanded afterward^e to make due Proclamation of this our writ in the usual places wth in your said County as also give publick notice that our Court of Chancery, Comissaryes Court & Govern^r & Councill for hearing of Appeals & Writts of Error will not sit untill the meeting of our said Assembly. Wittness our trusty & Wellbeloved ffr^a Nicholson Esq^r Cap^t Gen^l & Govern^r in Chief in & over our s^d Province & Territory of Maryland, and given under the Broad Seale thereof at our Town & Port of Annapolis aforesaid this 15th day of febr^ry 1697/8. And in the tenth year of our Reign.

ffr. Nicholson

Ordered that publick inquiry be made by the Sherriffs within their respective Counties whether there were ever any horses prest for the publick use and service of this his Majesties Province, either by his Ex^{ty} or lawfull Authority for which Satisfaction has not been duly made, or for his Ex^{ty}s own use without his actual paying for the same a due return

whereunto is to be made as well by the Worshipfull the Justices & Grand Iury of each County Court after the Severall County Courts to be held in March next, as by the Sherriffs who are then also directed and Comanded to make this Order publick, and that the same be given in charge by the Iustices to the Severall Grand Juries for their answer to be return'd by the Sherriffs afores^d unto this Board wth all convenient speed. Lib. H. D.

It is also further Ordered that like inquiry be made and answer and return as above whether his Ex^{cy} hath often or ever by an Arbitrary and Military Power seiz'd mens Estates and Writings, except some papers of M^r Iohn Cood & M^r Rob^t Mason which he is ready to Iustify.

Ordered that inquiry be made by the Vestrymen of the several Parishes within this Province, whether his Ex^{cy} hath putt the Countrey to an unreasonable charge by building of Churches too big & too chargeable for this Countrey, and whether the same are scituated upon Land belonging to private persons, and in places not proper nor convenient to build Churches on; and whether the 40th of tob^o p poll settled on the Church & Clergy throughout the Province, hath ever been applyed by his Ex^{cy} otherwise then as by Law intended; and whether his Ex^{cy} ever ordered the Clergy to be defrauded to the prejudice of carrying on so pious a worke in the Countrey; The Sherriffs being hereby commanded to serve the Vestry of each Parrish within their respective Countyes wth this Order, to w^{ch} the Vestrys are to make return accordingly unto this Board wth all convenient speed.

Vpon information of Hugh Ryly of Prince Georges County concerning a Piscattoway Indian (that was brought up at M^r Sam^l Chews) being lately in that County & frighten'd away by some threatening discourses and had severall things taken from him; Ordered that M^r Rob^t Tylor one of the Magistrates of that County who is said to have some cognizance of the matter, be and appear before his Ex^{cy} in Councill at the Port of Annapolis the 10th day of March next and bring wth him the Person th^t took away those things from the said Indian, in order that this Board may receive a right information about the same, and th^t the Sherriff of the said County give notice to the said M^r Tylor accordingly.

Lib. H. D. At a Councill met and held at the Port of Annapolis
the 21th day of febr^y 1697/8 in the tenth year of
his Majesties Reign.

Present

His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^t Sec^{ry}
Coll^o Henry Iowles
Edw^d Randolph Esq^r

Ordered that a writt of Prorogation be prepared to prorogue
the Assembly (for the reasons last Councill mention'd until
p. 63² the eighth day of March next, w^{ch} accordingly was done &
read together wth a Comission or power to swear the Dele-
gates; both w^{ch} were by Order referred unto M^r Rob^t Gouldes-
borough his Maj^{ty} Counsell at Law for his perusall & opinion
thereon.

Vpon a question proposed who would be a fitt person to
be constituted Clerk of the House of Delegates; it is unani-
mously concluded and agreed that M^r Bladen the former
Clerk will be the most fit and capable person for th^t employ
and therefore ordered that a Comission be prepared ac-
cordingly to pass the Broad Seale of the Province.

Produced and read a Letter by his Ex^{cy} rec^d from M^r In^o
West Naval Officer of Pocomoke district, bearing date the
20th of December last past relating to severalls—Ordered
that answer thereto be given in the following particulars
viz^t 1st as to Vessells clearing; That they be cleared as fast
as got ready, now in time of peace.

2nd As to the Sloop Content of Bermudos, Ieremiah
Smith Mast^r The same is contain'd in Major Kings List of
Shipping.

3^d As to the dispute about 18 foot boats being quallified
for Navigation pursuant to Act of Assembly the same seems
to be rather a jest then matter of Law; therefore he is to take
good care.

4^{thly} As to that about the Porke—He must take care to
pursue the Law.

5^{thly} As to that about Rum & Suger being prohibited
from England This Board know nothing of it nor the
meaning thereof.

6^{thly} As to the New England man;—He is not to be per-
mitted to carry tobacco to Newfound Land; but may Provi-
sion. Produced and read a Letter by his Ex^{cy} rec^d from
M^r John George of Boston, Dated 27th of Decem^r last past,
signifying his late recept^t of a Commission from the Prize
Office, Superseeding a Comission formerly granted unto
M^r Peter Ienings to receive the Kings fifth part of prizes in

New England, New York, Maryland, Virginia and all other Lib. H. D. places on the continent of America; also a Commission from the high Court of Admiralty to examine all persons relating to said affair, as well as my Lord Romney and M^r Glovers grant from the King and power from them; humbly desiring his Ex^{cy} would please to put a stop to all moneys rec^d either by the said M^r Ienings or others, untill such time as he can have the opportunity of producing the said Comissions in person; This Board for answer say, that there have been severall Comissions here produced in relation to the aforementioned matter; Viz^t M^r Thomas Robinsons Letter of Attorney from my Lord Romney and M^r Glover, Dated 21th of August 1696, for putting in full execution (within this Province &^{ca}) his Maj^{ty} P^{at}tent unto them given for the 5th part of all prize Shippes and Goods &^{ca} Copy of which said P^{at}tent wth the Letter of Attorney annext stands entred in the Councill Book of this his Maj^{ty} Province, together with a Commission under the Seale of the Admiralty to the s^d M^r Robinson & others bearing the date the 17th of Septem^r 1696 ffor putting the said Earle of Romney's P^{at}tent &^{ca} in due execution. All produced and read at this Board the 7th of June 1697. Afterwards, Viz^t The second of Iuly; Peter Ienings Esq^r produced a Commission to him given by the Hono^{ble} the principal Comissⁿ for prizes, bearing date the 19th day of Novem^r 1696. To be their Agent in all matters p. 633 of that nature here, as also two distinct Comissions from under the Seale of the Admiralty; the one bearing date the seaventh and the other the 23^d of Decem^r 1696 with Interrogatories annext; Empowering him to put in force his other Commission Since which time, Viz^t The 11th day of Ian^{ry} 1697/8. The Hono^{ble} Edward Randolph Esq^r produced a Commission under the hands and Seale of the Hono^{ble} the Comissⁿ for prizes, dated the 3^d of Iuly preceding constituting him Surveyor General for Prizes in all the Colonyes & Provinces on the continent of America & Islands adjacent; as also their agent where no other persons are appointed; who likewise produced two severall Comissions under the Seale of the Admiralty bearing date 17th of Iune 1697. And directed to the said Esq^r Randolph, Thomas Robinson & Iohn George Empowering them to examine into imbezilments of all prize Shippes and Goods in America &^{ca} and to make Appraisments and dispose &^{ca} All which considered; This Board don't think it advisable or fitt to cause any such stop to be putt as is requested by the said M^r George, but leave him to dispute the Authority of his Comissions with the other Gentlemen concern'd.

Upon a Petition this day preferred by M^r Sam^l Worthing-

Lib. H. D. ton of Sommersett County, touching his suspention & being debarr'd the practice of an Attorney in th' County Court, by vertue of an Order from his Ex^{ty} bearing date the 25th of Octob^r last past, as being a great promoter & instigator of a late pretended Marriage betwixt George Layfield Esq^r, and one M^{rs} Priscilla White of that County;

This Board having taken into consideration the Petitioners humble Submission in th' behalfe; as also the dutifull Peticōn of the Worshipfull the Iustices of the s^d County Court (here produced and read) in favour of the said Worthington, are pleased (upon this joyfull and happy news of a peace) to Order thereon as it is hereby Ordered that the said M^r Sam^l Worthington be restored to his practice of an Attorney and Clerk of Indictments in Som[']sett County afores^d in as full and ample manner as formerly; and that the said Order of Suspension be set a side; whereof as well the Iustices of the said County Court, as all other persons concern'd are to take due notice and to conform themselves accordingly.

ffeb^{ry} 22nd 1697/8.

The Council again sate and were present as yesterday.
Produced and read the following report Viz'

ffeb^{ry} 22nd 1697.

May it please yo^r Ex^{ty}

Iv'e rec^d and consider'd the Co^mission to swear the Delegates and the writt of Prorogation; as to the former I am of opinion th' it is well enough; as to the latter it seemeth to me th' the Causes and reasons set forth in the s^d Writt Viz' The Sharpness of the weather & the writts to the Eastern Shore supposed not to be come to the Sherriffs hands and th' a Sufficient number will not meet; need not be inserted in the
p. 634 said Writt; but instead of all this, the words for certain causes and considerations us thereunto especially moving, and which is most congruous and agreeing wth the nature of a writt, which is always short and concise in setting forth its' matter, and the former will appear more like a Proclamation than a Writt, the latter I find to be more Presidential, all which is humbly submitted to yo^r Ex^{tyes} consideration by

Your Ex^{tyes} humble Servant
R. Gouldesborough.

The said report is approved of and Ordered to be pursued accordingly. M^r Will^m Bladens Commission for being Clerk of the House of Delegates was produced, Read & approved off, and signed by his Ex^{ty} and Ordered to pass the Broad Seale of the Province.

ffeb^{ry} the 23^d 1697/8

Lib. H. D.

The Council again sate and were present as before.

Produced and read a Letter by his Ex^{ty} rec^d from M^r In^o West Naval Officer of Pocomoke district; signifying his rec^t of a Letter from the Hono^{ble} Edward Randolph Esq^r dated 30th December 1697. Concerning two vessells Loading Tobacco in that district, whereof his Hono^r signified there was cause of suspicion, therefore sent both their Certificates for examination &^{ca} which were also produced and compared with the Commissioners hands in other papers; but upon strict view and Examination the said Esq^r Randolph was thoroughly satisfied in the Legality of the same.

Upon motion of Cap^t Will^m Cooper Comānder of the Ieofferyes, the following warrant was ordered to issue Viz^t

By his Ex^{ty} the Govern^r and Council ffeb^{ry} 23^d 1697/8 Whereas complaint and application hath this day been made unto this Board by Cap^t Will^m Cooper Comānder of the Shipp Ieofferyes Riding in Seavorn River; concerning some Goods (belonging to M^r Iohn Sheffield Merchant) suspected to be feloniously taken from a board a Shallop of his, now lying sunck at Popleys Island, the w^{ch} a couple of Cap^t Coopers Seamen Viz^t Isaac Hammerton and Walter Needham had been imployed by the said M^r Sheffield to bring round from Patuxent to West River about a fortnight or three weeks agoe; but through stress of weather were cast on Shore Coll^o Lowes Island where the men got safe to Land; but the Goods and Shallop afterwards driven away, and the Shallop found at the place and in the Condition before expressed without the Goods.

These are therefore in his Majestyes name to authorize & impower the aforementioned Isaac Hammerton & Walter Needham in the presence of a Constable (or other Officer) to make search in any suspected place or places in or about the said Popleys Island, Plantation or Houses or in any other suspected part or place on the Eastern or Western Shore; as also to examine & search any Sloop, Shallop, Boat or other Vessell or bottom within this Province; and (if occasion) to break open any Lock, dore, Truss, parcell or package, where they p. 635 shall reasonably suspect the said Goods to lye hid; and if to be found, the said two men and Officer are hereby Required to take into custody the party or parties in whose possession the said Goods or any of them shall be found, and them safely convey and carry before the next Magistrate or Iustice of the peace in Order to be dealt withall according to law; And all Sheriffs, under Sheriffs, Constables and others Officers within this his Majesties Province are (upon application of the said Hammerton and Needham) strictly required to be aiding

Lib. H. D. and assisting to them, about the finding out and discovery of the aforementioned Goods, as they and every of them will answer the contrary at their perill; for which this shall be sufficient warrant. Given from the Council Board the day and year above written.

Signed p Order
Hen^r Denton Cl Concil.

[Board of Trade to Nicholson.]

Cockpitt february the 23^d 1697/8

S^r We have not Received any Letter from you since ours of the 17th November in which we answered those that then lay before us but haveing had M^r Attorney and M^r Sollicitor generalls Answer to your doubt ab^t Trialls for breaches of the Acts of Trade we send you here inclosed a Copy thereof for y^r direction in that point as we received it at the foot of an Extract of your own Letter we sent unto them.

p. 190 The Laws of Maryland lye yett as we last acquainted yo^u But we hope the Suspence will not be much Longer. However upon this occasion it may be Convenient to add now unto what he then writt you about Agents that some pson or psons Authorized from thence with that character w^d be very usefull for promoteing the Expedition of that & any other publick Affair relateing to that Province.

We Send you herewith all his Majestys Proclamacōn of the 28th of the Last month prohibiteing his Subjects to enter into the Service of forreigne Princes or States that you may Cause it to be published in the usual Places within his Majesties Territorys under your Govern^t and as much as in you lies take Care that his Majesties Pleasure therein Exprest be duly Observed and the Transgressors thereof punished so we bid you heartily Farewell

Your very Loveing friends
W Bridgewater
Ph: Meadows
Willm Blathwayt
John Pollexfen
Abr. Hill.

The aboves^d Letter was
directed to his Ex^{ty}
Francis Nicholson Esq^r
Cap^t Gen^l & Gov^r &c

ffeb^y the 24th 1697/8.

The Council again sate and were present as yesterday with the Addition of the Hono^{ble} Thomas Tench Esq^r

Produced and read a Letter by his Ex^{ty} rec^d from David Kennedy Esq^r Collector of his Majestyes Custom's in Pocomoke district, bearing date the 28th of Decem^r last past, as

also another from M^r Ieoffrey Power Merchant of the 12th of Lib. H. D. Ian^{ry} after, concerning a Sloop of M^r Powers called the Assistance, lately seiz'd by the said Esq^r Kennedy.

Ordered that the said Letters and matter therein contain'd be referred to the Hono^{ble} Edw^d Randolph Esq^r Surveyor Gen^l of his Majestyes Customes and to his Maj^{ties} Lawyers to doe therein according to Law and make such proceedings as are necessary in that behalfe.

They report thereon as follows Viz^t

24th of ffeb^{ry} 1697/8

We have considered the case of the Sloop Assistance; and we are of the opinion that the said David Kennedy be allowed reasonable costs and charges for the expences he has been at, and that the Sloop be discharged from the seizure.

Ed: Randolph S. G.

R: Gouldesborough

The said Report was approved off, and Ordered that the same be sent to the said Esq^r Kennedy for his compliance accordingly

M^r Samuel Davies of Som'sett County, one of the persons summoned about M^r Layfields pretended Marriage, came and appeared; who was acquainted by his Ex^{ncy} with the reason of his being summon'd, and is required to give an account how he came to be guilty of such an Action. To which he says that he often gave advice to the said M^r Layfield not to proceed in that Marriage; telling him the unlawfullness thereof; but does Confess he was p^{re}sent when in a frolick such passages happen'd, as his Excellency has been pleased to relate to him, but that he thought no harme in what he then did; therefore humbly beggs pardon and Submitts himselfe;— Ordered that the said M^r Davies put in writing what he has now given account off; and attest the same, which done, this Board are willing to dismiss him from any further attendance or Ordering any manner of process against him in that behalfe. p. 636

ffeb^{ry} 24th 1697/8.

Vice Admiralty Commissions being pursuant to Order prepared; constituting the Hono^{ble} Thomas Tench Esq^r Iudge Henry Denton Reg^r and Thomas Hutchins Marshall of his Majesties Court of Vice Admiralty on the Western Shore of this Province. They had severally administred unto them by

Lib. H. D. his Ex^{cy} in Councill, the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance & Supremacy and subscribed to the Test; And the said Esq^r Tench took also the usual Oath of Iudge, and the said Henry Denton the usual Oath of Marshall of the said Court.

Produced and read a Commission under the hand & Seale of the Hono^{ble} Edw^d Randolph Esq^r Surveyer Gen^l of his Majesties Customes on the Continent of America and Islands adjacent bearing date the 24th day of December 1697. Constituting Edward Price Gen^l Survey^{or} and Searcher of all Shippes and Vessells &^{ca} trading into Pocomoke River and all the Bayes Creeks and Harbours thereto belonging, scituate on the Eastern Shore, both in Maryland and Virginia side; which was well approved off; and the said M^r Price (being present) had Administred unto him the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy; as also the Oath of trade and Navigation and Subscribed to the Test.

ffeb^{ry} the 25th 1697/8

The Council again State and were present

His Ex^{cy} ffancis Nicholson Esq^r Cap^t Gen^l &^{ca}
S^r Thomas Laurence Baron^e Sec^{ry}
Edward Randolph Esq^r

Vpon a Petition of M^r Sam^l Davies of Som^{ers}ett County this day produced and read, thereby humbly submitting himselfe in the matter concerning M^r Layfields pretended Marriage; craving pardon &^{ca} It is considered by this Board that the said M^r Davies be discharged from his further attendance, and from all manner of prosecution in th^e behalfe, whereof as well the Sherrieff of Somersett County as all other persons concern'd are to take due notice and it is Ordered accordingly.

Vpon a Letter produced & read sent unto the Reverend M^r Peregrine Coney from M^r James Brechin of Somersett County desiring him to signify to his Ex^{cy} how th^e his present indisposition hindred his attendance, in pursuance of his Ex^{cy}^{es} Summons for his appearance to answer some complaint as being present & assenting to M^r Layfields pretended Marriage, therein alledging that he did not promote, but oppose the same; yet denyes not, but that (after the Ceremony was over) he said it was authentick, expressing his Sorrow and humble Submission &^{ca}

p. 637 It is considered by this Board, that for the said M^r Brechins humble Submission in that behalfe, he be discharged from all manner of attendance or further prosecution touching that

matter, whereof as well as the Sherriff of Somerset County Lib. H. D.
aforesaid as all other persons concern'd are to take due notice
and is Ordered accordingly.

Produced and read a Letter by his Ex^{cy} rec^d from M^r
Francis Iencking of Som^rsett County bearing date the 16th of
Feb^r instant, giving account that M^r Layfield still persists on
the Marrying of his Neece and is resolved to endure the Shock
of all that can fall &^{ca} giving also a Relation of the accident
that lately happen'd to his Majestyes Friggot, the Swift in his
Majestyes Colony of Virginia.

Maryland Sc

Lib. X.

At a Council met and held at the Porte of Annapolis the
Ninth day of March 1697 & in the Tenth Year of the Reign
of our Sovereign Lord King William the third &^{ca}

Present

His Excellency Francis Nicholson Esq^r
Captain General &^{ca}

the hon^{ble} { S^r Thomas Lawrence Bar^t Secry
Coll^o Henry Iowles Chancellor
Thomas Tench Esq^r
Collonel Iohn Addison
Thomas Brooke Esq^r }

His Excellency is pleased to produce to the Board in
Writing what he intends to lay before the house of Delegates
at the opening of the Assembly which was read and well
approved of as also his Majestys speech to both houses of
Parliament the Latter part whereof he thinks very Conven-
ient to lay before the house likewise.

Lawrence Tailors petition of Baltimore County for remit-
tance of of a a Fine read & Granted.

Produced the Sheriffs of Baltimore Countys return the
warrant issued against Hans Tilman & Browne with deposi-
tions & Recognizance taken for Brownes appearance at the
provincial Court to answer &^{ca} Ordered that the said papers
be delivered to his Majestys Lawyers for prosecution &^{ca}
Ordered that Inquiry be made of what presents Coll^o Heman
took of the Indians & advised that a Law be made to punish
such persons as take any presents of the Indians in behalf of
the Government or treat with them without being legally
Authorized thereunto.

Produced a Letter by his Excellency received from the
honble Coll^o Iohn Courts of the 20th of February last past
Signifying his Inability to travel through Sickness which p. 2
Occasions his not giving his attendance at this time.

Lib. X.

March the 10th 1697/8

The Council again set & were
Present

His Excellency Fra Nicholson Esq^r Cap^t Gen^l

Collonel Henry Iowles
Collonel George Robotham
Thomas Tench Esq^r
Collonel Iohn Addison
Thomas Brooke Esq^r

His Excellency is pleased to deliver unto the hono^{ble} Coll^o Geo Robotham & Thomas Tench Esq^r Iudges of his Majestys Courts of Vice Admiralty on the Eastern and Western Shores their Excellencys the Lords Iustices Proclamation for publishing the peace between his Majesty and the French King & the Articles of peace for the peculiar use of the said Courts as likewise was pleased to Order another to be delivered to the Clerk of the Provincial Office there to be Lodged for the publick resource of all persons.

Several persons that were formely Concerned about Indian Affairs where sent for who Came accordingly viz^t Captain Hoskins Major Smalwood M^r Will^m Hutchinson Major Walter Smith M^r Wright, M^r Hall & Lieu^t Coll^o Iohn Thompson.

His Excellency is pleased to them tell that he sent for them at this time as being formerly Concerned about the Indian Affairs which is one of the chief Occasions of his now Calling the Assembly & that he had Ordered the Clerk to have all the papers relating to that matter ready which were Given to them for their peruseall & after they had perused the same his Excellency was pleased to ask them whether there was everything that they Could Remember.

Where they make answers there was.

p. 3 And thereupon are delivered to be all ready against the house Sat & in the Interim to recollect themselves if they Could think of anything else

His Honour Col^o Robotham is pleased to acquaint his Excellency & this Board that he was informed by some Ship Carpenters that there were lately two Frenchmen that were lately discovered in Philadelphia in Indian Apparel whereupon it is thought necessary that the matter should be represented to the house

Present

Collonel Henry Iowles
Coll^o Geo Robotham
Tho Tench Esq^r
Coll^o Iohn Addison
Thomas Brooke Esq^r

Came Captain James Mitchell Commander of the Ship Lib. x.
Adventure of London & Captain John Cotteral Commander
of the hope of London & Captain Davies Commd^r of the Ship
Sarah & Susannah of ——— who signifying that they were
lately arrived & now Bound up the Bay but the wind &
weather proving so that they Could not conveniently touch
in at petuxent the wind being then Southerly and drifting
weather whereby they feared a northwest wind coming up
which might have deterred them week or a Fortnight
Longer besides imagining that all ships going beyond this
Port were to enter & Clear here therefore humbly prayed
that they might be admitted to an entry in this port which for
the reasons aforesaid was granted & the Officers of this port
ordered to enter them accordingly

Also Came Joseph Coleman Commander of the Dover
Merch^t of London who Signified his arrival & that he is p. 4
bound into South River & does for the same reasons given
by the other Commanders humbly pray that he may be like-
wise admitted to an entry here which is Granted by this
Board

Monday March the 14th 1697/8

The Council again Sat & were
Present

His Exc^{llcy} Francis Nicholson Esq^r Cap^t Gen^l

Collonel Henry Iowles	}
Col ^l ^o George Robotham	
Col ^l ^o Iohn Addison	
Thomas Brooke Esq ^r	
Iames Frisby Esq ^r	

Warrant & Bond for Iohn Russels appearance at the Coun-
cil Board for harbouring some Runaway Seamen contrary to
his Excellencys Proclamation & about a Norway Yaul taken
in his Custody were read and M^r Taylor the Informant being
called in is told that upon this news of a peace his Excellency
is willing to remit the Contempt & as to the Boat if he will
deliver her up for the Kings use there will be no further
proceedings therein but if not he must stand Trial about it &
M^r Taylor being asked where the Boat is does say she is in
Somerset County & that the Mate of Captain Taskers Vessel
& another of the Sailors are Evidences in the matter & that
there is a Deposition in their County which he will send over

March the 15th 1697/8

The Council again Sate & were present as Yesterday

Upon information of M^r Samuel Watkins Naval Officer

Lib. X. of Puttuxent District that Captain Robert Lurting made Oath at his last Clearing out of this Province that he exported no Furrs Yet he finds by the Return of a Certificate that he Landed Several Furrs in England.

p. 5 It is Ordered that M^r Attorney General sue the said Lurtings Securities and make such proceedings against him as the Law in such case Directs

A Letter of M^r Edward Williss from Barbadoes to his Excellency dated the 15th of August 1697 Concerning two Negroes fraudulently being taken away from thence was by Order delivered to M^r Attorney General

Came M^r Samuel Watkins Naval Officer of Pattuxent District & M^r John West Naval Officer of Pocomoke District & made Oath of them to their two Lists of Shipping they are ordered to prepare two more of each sort.

The hon^{ble} Coll^o Charles Huchins came and was added George Plater Esq^r Receiver of his Majestys Revenues within the District of Puttuxent Came & presented two Several Acco^{ts} to his Excellency the one of the 12 p hhd until the 14th of May 1697 & the other of all Fines Forfeitures by him Collected till the 5th day of April Anno 1697.

Coll^o Hutchins being taken Sick absents himself

M^r Watkins & M^r West take the new Oaths enjoyed for the better preservation of Trade.

Two Letters of M^r Slyes writt to M^r Watkins being produced and read one thereof ordered to be delivered to the Kings Lawyers together with another writt to M^r Taylards formerly read for his Directions to prosecute Slye pursuant to former Order and that another private Letter writt to the said Watkins from the said Slye be kept in being the better to prove the said Syles hand writing upon occasion the other Letter to be laid before the Assembly.

M^r Tailor Sheriff of Dorchester County desires to have leave to come up to the Provincial Court & it is Granted him

March the 16th 1697/8

p. 6

The Council again Sate & were Present

His Excellency Fra: Nicholson Esq^r Cap^t Gen^l &^{ca}

{	Coll ^o Henry Iowles	Coll ^o Iohn Addison	}
{	Coll ^o Geo Robotham	Tho Crooke Esq ^r	}
{	Tho Tench Esq ^r	Ia ^s Frisby Esq ^r	}
{	Coll ^o Char Huchins		}

Came M^r James Cranford of Calvert County upon whose humble Motion that he might be again restored to his practice

of an Attorney as formerly being lately dismissed by Order of his Excellency for some illegal practices by him Suspected to be done in his administration on M^r Abingtons Estate & the Law Suits thereon happening Lib. X.

It is Ordered thereon that if said Cranford will give Satisfaction to the Board that he never acted anything in that Concern Contrary to the known practice of the Country his Motion would be considered.

And the said James Cranford affirming to this Board that he never acted or did any thing through the whole Course of that Affair Contrary to the known & Common practice of this Province in Such like matters his Excellency pleased to tell him that in regard to the happy conclusion of the peace he is willing to extend to benefitt of all persons as possible he has thought fit with the advice of Majestys honble Council that he be restored & admitted to his Practise of an Attorney within all or any of the Courts of his Majestys Province as formerly & it is ordered accordingly

March the 16th 1697/8

The Council again Sate & were
Present

His Ex^{clcy} Francis Nicholson Esq^r Cap^t Gen^l

the hon^{ble} { Coll^o Iohn Addison }
 { Thomas Brooke & }
 { James Frisby Esq^r }

George Plater Esq^r and Henry Denton made Oath to their Acco^{ts} of the 1st 6^d p^{rhhd} & 3^d p Ton & M^r Samuel Watkins likewise made to two more lists of Shipping.

M^{rs} Tripps Letters to his Excellency & Lawyers Opinion thereon is by order delivered to the honble Charles Huchins for his care the said Coll^o Huchins being present at the Council Board as also the honble Coll^o Henry Jowles Coll^o Geo Robotham Thomas Tench Esq^r who Iust now Come & were added to the Board Thomas Robinson Esq^r Come & made Oath upon the Holy Evangelist to a Certain Deposition by him Exhibitted to his Excellency the 13th day of July 1697 in Relation to the Privateers in Pennsylvania which was endorsed thereon the said Thomas Robinson Esq^r humbly moves that whereas he was Empowred by the Right honourable the Lord Romney to act in his Behalf as Agent in the American Parts for all Prizes taken brought in & Condemned in any of his Majestys Courts Vice Admiralty in those parts & that in pursuance thereof he had produced Commissions and other powers given him in relation to that affair which were required to be entred In

Lib. X. the Council Book of this Government for which he finding him self charged with Fees & for Copys of the Proceedings of two Prizes more then in any other Government humbly prays some Consideration may be had in the Case whereby he may not be thought in any ways Culpable in running his Lordship to a needless Charge.

Whereupon it being Considered by this Board that his
p. 8 Lordship is one of the Lords of his Majestys most hon^{ble} Privy Council of whom all due regard being had therefore do think fit to order as it is hereby ordered that the Clerk of the Council for the reasons aforesaid take noth^s for the recording those Commissions but that the same be done ex officio And as for Copys of the Proceedings of those two prize Ships delivered M^r Robinson at his Request this Board do think that the Legal fees due for Writing the same ought to be paid and answered

Upon a Letter produced and read at this Board from the reverend M^r Richard Tubman unto his Excellency sent & delivered wherein he gives an Account that since it hath pleased God this late visitation & Sickness happened in the Countrey the Romish Priests have made it their Business to go up & down & insinuate themselves into protestant houses perverting severall persons in their Extremity & weak condition to the Romish faith which is also affirmed by several Gentlemen of this Board their Constant practice tending to the great disturbance of his Majestys happy Government here Establishd & against the known laws of the Kingdom of England Ordered therefore that his Majestys Lawyers consult & advise what Course is most fit & proper to be taken to restrain such illegal enormous practices & make report accordingly to this Board with all Convenient speed produced and read a Letter rec'd by Coll^o Robotham from Major Edward Dorsey containing several proposals in relation to building the Church & School at Annapolis w^{ch} was read

1st And the first that it be mentioned that the Inside Work of the Church as pews pulpit Reading Desk &c^a be Mentioned good plain work

The which is agreed to

2^d That the Terms representing Banisters round the eves or Roof be Signified of what wood & what Distance, and Thickness they must be of

p. 9 Whereto it is agreed that the Terms be of light wood Inch thick & to stand Eighteen inches distant

3^{dly} That Collums & plates running through may be if Possible admitted which is agreed to

4^{thly} That such Timbers as shall be thought necessary for Binding the Church Walls just above the Stone work may be

permitted to be put in for the better Securing the foundation Lib. X.
—agreed to

5th That there may by the Gov^r & Visitors of the School be some man or men near this Empowered to pay the Money at such time as the Necessity of Carrying on the work requires it—This proposall is agreed to the money being in his Excellencys hands

6th That he the Said Major Dorsey will Oblige the Pennsylvania Carpenters at their Coming down to agree & Consent to work & perform the said work as M^r Fiedler will Contrive & direct or else that they shall desist—this Board do say that they do leave it to Major Dorseys own management to make what Bargain he thinks fit with his Workmen—The said paper is referred to his Majestys Lawyers to advise whether the Governor & Trustees of the said Free School may safely agree to such proposalls without Danger of Overthrowing the Original Contract

March the 18th 1697/8

The Council again Sate and were
Present

His Ex^{ll^{cy}} Francis Nicholson Esq^r Cap^t Gen^l

the honble { Coll^o George Robotham }
 { Tho Tench Esq^r }
 Coll^o Charles Huchins }
 Coll^o Iohn Addison }

The petition of Ieremiah Burke, Richard Bryers, Adam p. 10
Baker, Edward Madam, Iohn Bellard, Robert Davis, Iohn
Davis, Paul Russel & Howel Brothers Seamen belonging to
the Hartwell of London whereof Cap^t Nicholas Humphries is
Commander Complaining that they were Shipt at Portsmouth
for this Countrey & back again and that the said Captain
Humphrys besides Straitning them in their provisions threatens
to pay them with a dram of the Bottle & that if it Cost him
Five hundred pounds they shall not have any Wages at their
Return & praying Relief therein.

The said Petition was read & duly Considered & the
pet^r & the said Captain Humphries & their Arguments
Allegations & proofs on both Sides being fully heard &
nothing Appearing to Verify or make good their complaint
in the petition set forth but rather on the Contrary the said
Captain Humphreis offering at this Board to pay their Wages
duly on performance of their Duty & affirming that they had
full Allowance of provisions &c^a

Lib. X. Ordered that the said Petitioners return to the said Ship & perform their duty for which they are Shipped & Engaged

March the 19th 1697/8

The Council again Sate & were

Present

His Excellency Fra^a Nicholson Esq^r Cap^t Gen^l

the honble { Coll^o Henry Iowles Thomas Tench Esq^r }
 { Coll^o Geo Robotham Col^o In^o Addison }
 { Coll^o Charles Huchins James Frisby Esq^r }

p. 11 Came M^r William Alderne Deputy Collector of the port of William Stad^t & made Report that he had no Acco^t to render nor list of Shipping to present since the last by him exhibited & made Oath to

The said William Alderne took the late Oath administred to his Excellency relating to Trade as also Major Will^m Dent Naval Officer of Potomack who at the same time made Oath to an Acco^t of Furrs & Skins &c^a

Monday March the 21st 1697/8

The Council again Sate & were present &c^a as on Saturday last

M^r John Hall of Baltimore County his petition for the remittance of a Fine of 1000^l w^t of Tobacco read and Granted

The petition of Philip Lines & Iohn Evans as Security of M^r Cood Ordered to be referred to his Majestys Lawyers & receivers to pursue what former directions they have therein

It is humbly represented by the Members of his Majestys honble Council of this his Majestys province now present that whereas some of the Gentlemen that have had the honour to Serve in this Station are now dead viz^t Coll^o Greenberry, Coll^o Brown & others that Live beyond the Bay are remote from this place that they Cannot possibly attend to discharge their duty upon all Emergencys happening for want whereof it hath already been Experienced Several Disappointments have occurred to the great hinderance of Business & his Majestys Immediate Service in this Gov^t therefore become humble Suitors to your Excellency that you would be favourably pleased to Signify this Deficiency to the right Honble Lords of the Council for Trade & Foreign plantations

p. 12 whereby his Sacred Majesty may become Sensible thereof & Cause such Addition of Councillors to be made as to his Royal Wisdom shall seem meet

A Letter from M^r William Nevil Riding Surveyor at the Lib. X.
head of the Bay unto his Excellency sent & directed about
his Seizure of a Sloop & some Goods is by order referred to
his Majestys Lawyers & to Geo Plater Esq^r as the Kings
receiver to make reports &c^a

March the 22^d 1697/8

The Council again Sate & were present as Yesterday

Upon the representation & motion of the honble Tho^s
Tench Esq^r how that M^r Plater was much out of Order &
was afraid if he should continue Longer in Town he should
be forced to Lye by it

Leave is given M^r Plater to go home

A petition of M^r William Mabb Commander of the Ship
Recovery of London being presented to this Board & read
Signifying thereby his having made entry of his Vessel with
the Officers of Puttuxent District & there Lodged his Cer-
tificate and Coquets And Given Bond for the Countrey Duties
& performed what the Law requires And that whereas his
Business Leading him to Choptank River he hath there been
denied to Unload and Trade Notwithstanding such his Entry
unless he would make a new Entry in that port for all which
he prayed redress

Thereupon the said Matter was fully heard & Considered
& this Board having perused the Certificate and permit
granted by the said Officers for unloading the said Vessel
&c^a do think the same altogether insufficient to warrant his
Unloading or trading for Tobacco on Board not having
Expressed whether the said Mabb had produced Legal Cer-
tificates of his Giving Bond for the Dutys of this Country &c^a
on which acco^t he now lies Lyable to Seizure which is thought
fit to be Remarked for a Caution to the said Officers for the p. 13
Forfeiture And forasmuch as the said Officers for the For-
feiture & forasmuch as the said port of W^m Stad^t is taken
by this Board to be a District & proper place of Entry
& all Ships & Vessels coming their are Directed to make the
Entry Accordingly

Ordered therefore that the Officers & Puttuxent District
aforesaid do upon Sight hereof Surrender up to Will^m Mabb
the pet^r as well the Certificates Cocquets & other papers
Lodged with them at his Entry as also what Bonds he there
passed for any duties or otherwise to be Cancelled & that he
thereby may be enabled to make his Entry according to Law
in the proper place assigned

A petition of the honble Coll^o Henry Iowles Referred to
the Kings Receiver

Lib. X. Upon advice that there has been plentiful Crops of Corn made this last Year in New England & that the honble Coll^o John Gibson hath Effectually reduced & resettled New Foundland and forasmuch as a general peace is now God be thanked Established in Europe—

Ordered that all former Orders of this Board any way Encouraging persons to Carry Provisions to those places be wholly disannulled & set aside whereof the several Collectors & Naval Officers are to take due Notice & Conform themselves accordingly

March the 24th 1697/8

A petition of peter Iennings Esq^r Collector of Puttuxent District—was presented to this Board & read—the said Petition being taken into Consideration it is the Opinion of this Board that the Instruction Cannot possibly be Complied with as the Constitution of this province now Stands until
 p. 14 Certain ports be assigned in the province Where all Ships and Vessels Coming in shall be Obligated to Come & Ride & that the Officers be Obligated Actually to come and reside in these ports & see the Unlivery of all goods the said M^r Iennings being left to discharge his Duty in the Interim after the best manner he can It being Supposed that the giving a Certificate for all Goods Carried away in Sloops for other parts & Expressing the particulars & that the legal Coquets have been produced for the same may be the best means

The said Peter Jennings Esq^r presented an Acco^t of the 1^d p^hhd the which he made Oath to & gave his Exc^{lcy} a Note on M^r Plater for the said Money

Upon further Consideration had of the said M^r Iennings Petition it is humbly represented by this Board with Submission to their Excellencys the Lords Iustices Instructions that the Article directing that no Goods shall be Landed but by warrant of an Officer &^a is so difficult to be performed as the present Constitution of this Country now stands that it will Cost his Majesty Several hundred pounds Sterling in keeping Officers to look after & Manage the said Concerns therefore it is proposed that so many particular ports be appointed in the Governm^t whither all Ships & Vessels shall be Obligated to Come and Unlevir their Goods & that the Officers or their Lawful Deputys be Obligated also to live in those parts for dispatch & discharge of their dutys

A petition of Captain William Cooper Commander of the Ship Ieoffreys of London praying a register of his Ship was read & Granted according to petition—

Upon representation of the honble James Frisby Esq^r how

that their County is deficient for want of Justices Some being Lib. X.
dead & others Disabled that they Never yet officiated

Ordered thereupon that a new Commission of the peace p. 15
& for the trial of Causes upon sight hereof Issue out of the
Secretarys Office Consisting of Coll^o William Peirce, M^r Iohn
Moll, M^r W^m Harris, M^r W^m Dare, M^r John Carvile, M^r
Edward Blay, M^r Ebenezer Blackiston M^r Iohn Troope M^r
Edw^d Laddemore, M^r Iohn Huison & M^r Thomas Kear
Justices & Commissioners of Cæcil County whereof the Five
first are to be of the Quorum

Thought fit that the Naval Officers give another Bond to
be Sent for England & that Coll^o Huchins be directed to take
M^r Wests Bond—M^r Jennings M^r Kenneday & M^r Collier
take the new Oath of Trade which was administred to his
Excellency the Governor

March the 26th 1698

The Council again Sate & were present as Yesterday
Esq^r Jennings makes Oath to four Lists of Shipping
Coll^o Addison has leave to retire home

M^r Sam^l Chew one of the Owners of the Ship of London
humbly moved for a Register of the said Ship Saying that
when he Came out of England he was not apprized of the
late Act of Parliam^t which requires such Registering of
Vessels and that he is ready to make attestation according
as the Law directs—Whereupon his Motion is allowed &
Granted

Came Thomas Swain Mas^r of of Bristol bound
for Kent Island he says he touched at Puttuxent & that the
Officers there told him he might Enter here w^{ch} is ordered
accordingly

March the 28th 1698

p. 16

The Council State

Present

His Excellency Fra Nicholson Esq^r Cap^t Gen^l

the honble { S^r Thomas Lawrence Bar^t Secry
Coll^o Henry Iowles Chancellor
Coll^o George Robotham
Thomas Tench Esq^r
Coll^o Charles Huchins
Iames Frisby Esq^r }

David Kenneday Esq^r Collector of Pocomoke District came
& made Oath to four Lists of Shipping

Lib. X.

March the 30th 1698

The Council again Sate & were present as Yesterday

It being presented to his Excellency and this Board by David Kenneday Esq^r his Majestys Collector of the District of Pocomoke that his Majestys service is much prejudiced for want of a warrant of Assistance to Empower him to press men & Horses for that whilst he is a Going to a Iustice of the peace perhaps Ten or Twelve Miles from the place where he has Occasion for assistance the Traders may take Liberty to run what Goods they please in the Interim therefore proposes that it may be Settled what each man & Horse so pressed shall be allowed p Diem

p. 17 That he finds great Difficulty in Searching of Ships & Inspecting of Good Imported on Board the said Ships So that it is Morally Impossible to his Duty thoroughly as he Ought by reason of the Narrowness & Darkness Of the Ships holds therefore Conceives it absolutely necessary that houses may be appointed in the most Convenient places for Shipping within his District where Goods & Merchandizes may be landed & duly Inspected to prev^t Frauds & the designs of false Traders

Which said Representation being here read and considered as to the first part thereof it is referred to his Majestys Lawyers to Consult & make Report what sort of warrant Shall be Granted

And as to the other part it is thought Adviseable that Application be made to the right Honble the Lords Commsrs of his Majestys Customs

March the 31st 1698

The Council again Sate & were present as Yesterday

Produced & read a Letter by his Excellency rec^d from the Lords Commissioners of his Majesty Customs dated the 30th of December 1697 that the Bark Mermaid having a Mermaid in her Stern John Rogers Mas^r is bound for Maryland &c^r Ordered that Copys of the same be sent to the several Collectors and Naval Officers together with Copys a Letter sent from the said Commissioners Unto the honble Edward Randolph Esq^r Surveyor General Dated the 9th of December 1697 Concerning some New England Vessels Intended really for the Natives of Scotland though Colourably registered in the Plantations

David Kenneday Esq^r Collector of pocomoke District being present & had Copys of the said two Lett^{rs} delivered him at the Board & was directed to give Copys of the same to M^r West Naval Officer.

April the 1st 1698

Lib. X.

The Council again Sate & were present as Yesterd^y

p. 18

M^r Samuel Holdsworth of Calvert County Came & presented to the Board a Deputation from M^r Iohn George of Boston dated the 25th of Ianuary Anno 1697/8 appointing him to be Agent under him for all prizes in Maryland producing also an Attested Copy of Commission Granted the said Iohn George by the principal Commissioners for prizes to be their Agent for the Govern^{mt} of New England, New York, Pennsylvania, Maryland & Virginia dated the 11th of May 1697 thereby Superceed a Commission formerly granted to peter Iennings Esq^r both attested by a Notary Publick & Isaac Adington Esq^r Secretary of New England & whereas there is a clause in the said M^r Georges Commission which speaks of great Concealments & Embezzlements being made of prize goods &c^t brought into this province &c^t his Excellency gives the Same Answer to that part as he did to a like Clause in M^r Jennings's Commission

The Question being asked what the said M Holdsworth desired in this particular he makes Answer he desires M^r Jennings may be Ordered to render an Acc^t what Money or Goods he has rec^d by virtue of his Commission & that w^t Effects he has in hands relating to that matter may be paid to him Seing his Commission is now Superceeded

Whereupon he was told that his Majestys Lawyers must determine that point Whereupon it is referred to his Majestys Lawyers to Consult & make their report thereof

M^r Holdsworth leaves the dispute to the Clerk of the Councils hands until the Lawyers make their Report

A Commission of the peace for Cæcil County being prepared & perused it is Ordered that M^r Harris Name be raised out & M^r William Frisby if upon his coming into the Countrey he remove into Cæcil County be inserted in his Stead by the honble Iames Frisby Esq^r hereunto Especially Authorised & appointed

p. 19

Ordered that the Court for hearing appeals & writts of Error set the 14th Instant April & that Coll^o Addison Coll^o Courts & Esq^r Brooks be Summoned to be here

His Excellency with the advice of this Board is pleased to Order the following Letter to be writt which he was pleased to Subscribe viz^t

Port of Annapolis April the 2^d 1698

Cap^t Oldson

This is to acquaint you that with the Advice of his Majestys honble Council it being thought fit for his Majestys Service

Lib. X. & ease of the Country I disband & dismiss you from the present Command you have over the Rangers in Baltimore County as likewise the Men under you whereof you & every of you are to take due Notice Given under my hand & seal the day & Year above written Postscript

You or any of your Rangers will Come hither M^r Henry Denton Clk of his Majestys honble Council will give you a full Acc^t of your pay

To Captain Iohn Oldton Commd^r
of the Rangers in Baltimore County }
att the Garrison there..... }

April the 2^d 1698 post meridiem

The Council again Sate & were present as before

This Board taking into their Deliberation & serious Considerations the matter about the piscattoway Indians forasmuch
p. 20 as the house of Delegates have made no final Determination therein Butt Left the same precarious have therefore for his Maj^{ty}s Service & the more ease & Security of the Countrey thought fit to Order as also to Authorise appoint & Empower the honble Coll^o Iohn Addison to raise ten men & two Captains to Command those Men who are to range by turns & Observe and follow the same Instructions as the present Rangers who are to be paid accordingly to Act of Assembly but it is Ordered that Captain Brightwell be not one of those two Officers which said Men and Officers are to be raised with all Expedition possible & placed some where Convenient for Strengthening the Frontier plantations as the said Coll^o Addison sees fit & most Serviceable to his Majesty & safety of the Countrey it being thought Unessasary to keep them at the Garrison now for their is a peace & no fear of any French or other Indians attacking those parts besides the Return of the Piscattoway Indians may now about this time be expected thither if they Come at all yet it is thought necessary that the Old Rangers be still Continued and Kept in Service & pay until the New ones be rightly Equipped & Established but afterwards be dismissed & disbanded which is ordered Accordingly

April the 3^d 1698

The Council again Sate & were present as Yesterday

Produced and read a petition of William Piper Gilbert Norris & Nicholas Dumaresq Masters of Ships praying a Register of their Respective Ships

April the 4th 1698

Lib. X.

The Council again Sate & were present as on saterday
M^r Jenkins & Major Thompson two of the Justices of the provincial Court humbly move that whereas they have attended at the time of the Assembly & the one being a Naval Officer & the other Sick they may be Excused from Staying this provincial Court & have leave to retire home

To whom his Excellency is pleased to say he shall take no p. 21
Notice of their going if the same be Satisfactory to the Court

M^r Crawfords Bond of Good Behaviour is upon his Motion Ordered to be Cancelled—

The honble James Frisby Esq^r has the leave of the Board to retire home Captain Rich^d Hanken is admitted to make Entry of his Ship in this port.

Captain Samuel Philips Iun^r Commander of the Ship Baltimore of London being Sent for Came he is asked to give an Acco^t Concerning their taking of Register for ships whether the Commissioners required that the Oath should be made by One of the Owners who says that at first there was a Scruple whether Oath should not be made by some of the Owners but afterwards the Commissioners admitted the Masters though not an owner to make Oath & register their Vessels as also the Quakers after the Form the Act of Parliament prescribes to the truth whereof the said Captain Philips made Oath

Also there were Several Presidents here produced & read Confirming the same

Whereupon it is the Opinion of this Board that the Masters of Ships petitioning for Registring their respective Vessels may upon making Oath who are the Owners therefore &c^a be Legally admitted to register the Same

It is thought Necessary by this Board that a Representation be laid before his most sacred Majesty that the Rumors & Reports spread abroad in this province by the Romish party & other disaffected persons in this his Majestys Government of the Lord Baltimores Likelihood of having the Government p. 22
again by which Means some of the Inhabitants being put in hopes others in fear the same gives Occasion to Divisions & making parties to the Disturbance of the Government until such time as his Majestys Royal pleasure shall be known therein And that it is also Represented by his Majestys Council of this Province that a Church Government being Setled & Established here As also a protestant Government the ill Consequences that will happen if in case the Lord Baltimore should be restored to the Government as formerly besides the Great Mischief that would consequently Ensue

Lib. X. to all his Majestys good Subjects in General here residing by the Altering the good Frame and Constitutions of several Courts of Iudicature Viz' that of the Governor and Council for hearing appeals &c^a The Chancery the provincial & Commissary Courts & the several County Courts beside the Danger of an end being put to all those Considerable Actions depending in the several Courts here wherein his sacred Majesty is more Immediately Interested and that it be further represented the great Encouragement that will be given to the Irish Iesuits priests & others of that party to Flock hither as before was Usual in the Lord Baltimores time to the very great Discouragement of the English Inhabitants & hinderance of the progress of the protestant Religion within this his Majestys province

Came Colonel Ninian Beal & Offered his Service to Command One party of the New Rangers to be raised upon Potomack and the said Colonel Beal is well accepted of by this Board

Captain Richard Owen is thought to be a person very fitly Qualified to Command the other party

Ordered that Coll^o Beal & Captain Owen do Immediately go to Colonel Addison & adjust the said Matter wth him & pursue what Directions the said Collonel Addison shall give them

p. 23 It being Represented to this Board that M^r Rob^t Mason the present Sheriff of S^t Marys County hath by Several Orders for his Majestys Service been sent for but through Sickness hath been Incapacitated to Come & since that he hath been Observed to be a Busy Man of Coods party & managing his Business & hath Neglected or by Disability not Complied with to make up his Treasurers Acco^t

The said M^r Mason is not thought fit to be Longer Continued in his Majestys Service therefore Ordered that the said M^r Mason be dismissed from further Executing that Office & that Lieu^t Coll^o Henry Low be Constituted & Commissionated High Sheriff of the said County in his Stead & that a Commission with the other Usual Instruments Issue out of the honble the Secretarys Office Accordingly

The representation of his Majestys honble Council Concerning the want of more Counsellors being taken into Consideration it is thought that Major John Hammond & Captain Richard Hill of Ann Arundell County Cap^t Thomas Tasker of Calvert County & M^r Francis Ienkins of Somerset County may be fit & Capable persons to serve in that Station & to be represented to his most sacred Majesty for his Royal Approbation & Assent Ordered that the Respective Naval Officers within this his Majestys province take Care to keep

Copies of the Registers of all Ships unto them produced & Lib. x.
transmit the same among other papers & Bonds which by
Law they are Directed to transmit unto the port of Annapolis
in Order to be kept among the other Shipping papers Lodged
in the Clerk of the Councils Office in the New State House
Ordered that the Kings Lawyers do Consult if Esq^r Randolph
has not by his Commissions and Instructions to the Surveyors p. 24
of this province Given them Sufficient power to put their
Commissions in Execution what power may be proper to be
Given them by this Government

Upon Motion of the honble Tho^s Tench Esq^r that he is
Served with a Scire facias at the Suit of his Majesty & desires
he may be Excused from attending until the 14th Instant the
same is granted & allowed of

Advised by this Board that when the arms Come in & are
Ordered to be disposed of his Excellency would be pleased to
form the Military Commissions & Instruct^r

M^r William Bladen Surveyor and Deputy Collector of the
Port of Annapolis within the District of Puttuxent & Henry
Denton Naval Officer of the said Port took the late Oath of
Trade & Navigation administered by his Excellency at this
Board

At a Council held at the Port of
Annapolis the 5th day of April 1698

Present

His Excellency the Governor

the honble	{	S ^r Thomas Lawrence Bar ^t Secretary
		Co th Henry Iowles Chancellor
		Co th Geo Robotham
		Thomas Tench Esq ^r
		Collonel Cha Huchins

His Excellency is pleased to Acquaint the Board that the
Reason of his sending for them at this time was upon the
Acco^t of an Information given him that the Speaker of the
house of Delegates had Received from the Clerk a Copy of
the Journal of the house without the Knowledge Leave & p. 25
Consent of himself or his Majestys honble Council which he
looks upon to be a Peice of high Presumption therefore thinks
it Necessary that the Speaker be sent for & demand to give
his Reason for so doing Whereupon the Clerk of this Board
was ordered to go & Comm^d him in his Majestys name to
attend his Excellency in Council presently

The said M^r Speaker came and appeared before this Board
& his Excellency is pleased to ask him whether he has got a

Lib. X. Copy of the Journal of the house of Delegates who says he has he is asked by what Authority he had it & does say he had it by Order of the house

His Excellency is pleased in his Majestys Name to command him to go & fetch it in Order to deliver it up to which the Speaker makes Answer he does not know whether he can or no without the order of the house whereupon his Excellency Commanded him not to stir out of Town until he did deliver it M^r William Bladen Clerk of the house being sent for came who was Sworn to make true Answers to Such Questions as should be proposed to him

He is asked if ever he was Ordered by his Excellency or his Majestys honble Council to alter any thing at any time in a Journal of Assembly or was ever Ordered to leave out of his Journals sent for England any thing Material who Says not except Private Petitions which Relate not to any publick affair

M^r Speaker comes & delivers up the Journal w^{ch} is delivered up to M^r Bladen with Express Order that [it] be one of the Journals which is to be sent for England

[Letter from Gov. Andros.]

S^r

This day I received a Letter from Cap^t Bostock dated at his Tent at Guegith the 9th Ins^t giving me an Account that his Ma^{ty}s Advice Boat the Swift (which was drove on Shore neer Roanoke) is washed up on the Shoare some what higher then she was but without any Damage and doubts not but to Save her and desires my hastning to him her Anchors and Cables having written to Cap^t pound for what more he wants on that Occasion—I have again given Orders to hasten a Sloop to carry him his Anchors and Cables which I had ordered before to be weighed and sent to Cap^t pound for some men he had which did belong to the said Shipp, and what else he had to send for the said Service

I am

Yo^r Ex^{cy}s most humble Servant

Virginia March the 15th 1697 E Andros

The above bre thus directed

For his Ma^{ty}s Service

To his Ex^{cy} Col: Francis Nicholson Cap^t Gen^{ll} and Gov^r of Maryland forwarded this 25th of March to M^r Johnson R L

Rēcd the 5th of Aprile

p. 18 Hon^{ble} S^r

I acquainted you from North Carolina of his maj^{ty}s Advice

Boat Swift being there Butt Robed of all her Provisions & Stores, Yo^r Lett^r being burned, butt the body of the Vessell is whole, and have made application to S^r Edmond Andros for assistance towards the Getting her off, I did acquaint you of the occasions w^{ch} obliged to putt in att Point Comfort att my arrivall wth in the Capes, & the misfortunes that has attended his maj^{ties} Service Since, butt haveing ordⁿ to Come up to Maryland; and there to apply my selfe to you for furth^r Directions The body of my Vessell is in a Condition to be saved & do desire yo^r Directions & assistance towards the Service & wth Ordⁿ you shall send: if I can save the vessell shall be Immediately Complied wth my Travelling has hind^{ed} me from having Conveniences of Sending here being no posts butt have written three times before; I am doing all I can to gitt Necessaries in ord^r to save the Vessell and shall Informe you of my proceedings as I am

Hon^{ble} S^r
Yo^r most Humble S^r^v
Will Bosstock

Essex prise Aprill
the 5th 1698
Point Comfort;

The above Lett^r was Directed viz^t
On his Maj^{ties} Service

To his Ex^{cy} Francis Nicholson his maj^{ties} Lev^t Cap^{tn} Gen^l
& Governour of the Province of Mariland
in America

S^r Maryland porte of Annapolis Aprill the 26th 1698.

Yo^r of the 5th of Aprill I have received and Communicated itt to his Maj^{ties} hon^{ble} Councill wth in this Province, I have nev^r received any Lett^r or oth^r advice you att any tyme before, am heartily Sorry for the sad accident of the loss of your Vessell the want of w^{ch} here may have been very prejudiciall to his Maj^{ties} Service, how to assist you I cannot tell att so great a distance but would advise you to bring her hither if possible, & you shall not want wth lyes in my power to helpe you in the Refitting her though itt happens very ill that his Maj^{ties} has no Navall Stores in this Province.

S^r I desire you would propose to me how & where in I can give any assistance in yo^r p^rsent Circumstances and assure you I shall alwayes be Ready to do my utmost Endeavours for his maj^{ties} Service.

And am S^r
Yo^r Humble Serv,
Francis Nicholson

For his Ma^{ties} Service
To Cap^t W^m Bostock Comand^r
of his Ma^{ties} Advice Boat Swift at
point Comfort in Virginia or else wher

Lib. X.
p. 26

At a Council held at the Port of
Annapolis the 9th day of April 1698

Present

His Excellency Fra Nicholson Esq^r Cap^t Gen^l

the honble { S^r Tho Lawrence Bar^t Secry
Colonel Henry Iowles Chancellor }
Thomas Tench Esq^r

Henry Philips Serv^t to M^r Philip Clarke Attorney at Law being sent for as also M^r William Bladen Clerk of the house of Delegates who Came accordingly & by order produced to the Board the Iournal of the Committee of Laws & the Committee of Agreviances this last Sessions of Assembly kept by the said Philips who was Sworn to make true Answer to what Questions should be Asked him in that Behalf The said Philips accord^s to Oath taken is demanded to give Account whether those two Iournals were his hand Writing & whether he was Clerk all the while to those two Committees who says they are both his hand writing and that Iournal of the Committee of Laws he kept himself but as to the other he was there but two days & writ only what M^r Harris the Chairman of that Committee dictated & read to him he is asked if the Iournal of the Committee of Aggreivances was read to that Committee after he had writ out the same & says it was not he is asked if they gave him any other Papers & says they did not he is demanded to make answer as he is upon oath whether that Iournal be all that was Ordered to be writ.

p. 27 And says that it was but that he made another Copy thereof by M^r Harris^s Order which he gave to him & being asked who took care of all the Loose Papers that lay before that Committee & does Say M^r Harris and that no Person else took them into his Possession he is asked who dictated to him in keeping the Iournal of the Committee of Laws & does say sometimes one & sometimes another of the said Committee & that the whole Iournal was read to them afterwards he is asked what became of the rough Draughts & Minuits of that Iournal & makes answer that he kept Rough Minuits of that Committee only for the first week and that his Master Philip Clark had them as he Believes being left in his said Masters Chamber at M^r Blackwell where the said Committee sate he is asked who Ordered him to Stile the house of Delegates the honble house of Assembly & does say the Committee did he is asked if his Master M^r Clark ever told him that should leave the Tobacco that was allowed him for being Clerk to those Committees & makes Answer that his Mas^r never did

Ordered that Copys of the above Examination be sent to the several Countys of this Province to be published whereby it may appear how the Country is abused Particularly in that of Ordering Allowances for Committee Rooms at publick houses when such Rooms are on purpose Contrived in the new Stad^t house for those Uses which his Excellency shewed to the Speaker at the first opening of the Assembly Observation being likewise made how that M^r Clark receives the Profit of his mans allowance for Officiating in those two Committees as Clerk notwithstanding other Pretences Lib. X.

M^r William Bladen being Called Came and as to M^r Philip Clark he gave the following acc^t to which he made Oath before his Excellency & this Board viz^t that On Saturday Night being the 2^d of April Instant as this Deponent was walking in the State house M^r Philip Clark entred into discourse with him and said he wondred that his Excellency did not keep Old Randolph with him for that the said Randolph was a good Scholar & further told him that if his Excellency had advised with him he might have had any thing done in the Assembly he proposed to prescribe & that that Sessions might have been ended long before. M^r Bladen Saith that the Purpose of what he now Saith he told to Major Iohn Hammond M^r W^m Hensly and several other Members of the house of Delegates. p. 28

Major Iames Maxwells Deposition about Amos Nichols read & Sworn to by the said Major Maxwell in Council Ordered that the said Deposition together with Thomas Brown's formerly taken Relat^s thereto be Referred to his Majestys Lawyers to Consult & advise what is proper to be done & whether it may not be Convenient that the Governor of Pennsylvania be sent to about it

Ordered that the Iournals of the Committee of Laws & Committees of Aggrievances be produced at the meeting of the Council next week

Henry Smith of Baltimore County his Petition for Remittance of a Fine Referred to his Majestys Lawyers & Geo Plater Esq^r the Kings Receiver Gen^l to do therein as they see proper

At a Council held at the Port of
Annapolis April the 14th 1698

Present

His Excellency the Governor &c^a

the honble { S^r Tho Lawrence Bar^t Secy }
 { Cott^o Henry Iowles &c^a }
 { Thomas Tench Esq^r }

p. 29

Thomas Master of the Ship Adventure of Lancaster

Lib. X. appearing before the Board Says that he being bound with his said Ship up the Bay into Sassafrax River was advised that he was to make entry at this Port therefore did not touch in at Puttuxent & prays he may be admitted to an entry here Ordered thereupon that he be admitted to an entry accordingly.

A Brief being produced read & Approved Impowering the several Collectors & Naval Officers to procure what Subscriptions they can (from the several Persons concerned in Trade) to the Church & free School one of them is Ordered to be sent to each District M^r Kennedys Letter to his Ex^{clley} is Referred to the Kings Lawyers M^r Ralph Rymer of S^t Marys County being sent for Came & being asked what he heard M^r John Cood say Concerning the New Governor Coming in— Gives the following Relation viz^t

That Some time the last week the said M^r Cood being at his house among several discourses passing took Occasion to acquaint him how that there was a New Gov^r coming in for this Province or words to that Effect to w^{ch} the said M^r Rymer made Oath before Robert Smith Esq^r Chief Iustice of the Provincial Court in Council

M^{rs} Mary Vansweeringen being sent for Came and being Sworn to make true Answer to all such Questions as should be asked her is asked whether she did not hear M^r Philip Clark say some time before he Came up to the Assembly that he would have a Paper wherein the Kings Lawyers have given their opinions burnt under the Gallows by the common Hangman who says she did hear him speak words to that Effect at her house in S^t Marys in presence of M^r Synnot Captain Waughop & M^r Harpam but does not know whether M^r Synnott might take Notice of those words by reason he was much Concerned that time in drink being the day the City Burgess were Chosen

M^r William Harpam is sent for and Came Being asked whether he heard those words spoke.

Desires time to Recollect his memory M^r Philip Clark being present is sworn to make true Ans^r to Such Questions as should be demanded of him

The said Clark being set down as an Evidence to these several Articles of Charge against his Excellency which were presented to the Iustices & Grand Iury of the Provincial Court for their Answer were produced & read to the said Clarke as follows viz^t

And to the first Article being he intercepts & Causes to be Intercepted Pacquets & letters directed to Persons in Maryland & Virginia & elsewhere to the great Prejudice of those Concerned

He is asked as he is upon his Oath what he has to say Lib. X.
Concerning the said Article and the said Clark makes Answer
that he knows of no such thing

2^d Article he Collects and Receives Money upon Ships for
all Tob^o brought from Virginia & shipt on Board ships Riding
in Maryland Contrary to Law or any Act of Assembly of that
Countrey.

The said Philip Clark says he never told M^r Slye that the p. 31
6^d phhd taken for Tobacco brought out of Virginia & Ex-
ported hence was received Contrary to Law but by Virtue of
an Order of Council

3^d Article he hath Offered Twenty Pounds to any Man
that will Swear against in that Province that he might use
them Tyrannically &c^a

The said Clark says he cannot make Oath to those Words
but Refers to the Proclamation

4th Article To amuse the People he hath Offered fifty
Pounds by a publick declaration which is upon Record in the
Courts of that Province to any one that would Complain
against him to the King often Saying his Interest was so
Strong with the Duke of Bolton Lord Bishop of London &
M^r Blathwayte that no man would be heard against him.

The said Philip Clark does say he cannot make other
Answer thereto then by referring to the Declaration it Self
upon Record but does not say it was to amuse the People
Neither does he know any thing of the remainder of that
Article

5th Article he hath often by any arbitrary or military power
Seized Mens Estates & Writings

He saith he knows nothing of that Article except the
Seizing of M^r Cood & M^r Masons papers

7th Article that he keeps the present Assembly on foot by
a Writt dated after they first Sate Sends forth writts for fresh
Members though others are Legally elected & alive

The said M^r Clark desires he may give his Ans^r thereto in
Writing which he does as followeth—Viz^t As to the Seventh p. 32
Article of keeping the Assembly on foot by a Writt dated
after they first Sate

This Deponent Saith that as to the time he refers to the
Iournal but to the best of his Remembrance it was in Sep-
tember 1695 & he is Certain it was that Assembly that the
honble Robert Smith Speaker was disabled by Sickness &
the honble Kenelm Cheseldyne chosen in his Stead it so
happened that the day that the Assembly was to meet there
did not meet enough to Adjourn And his Excellency coming
to Town that evening & being very Sick no Writt of Proro-
guation issued forth It Came in Debate a Day or two after

Lib. X. when a full house met whether they Ought to proceed upon Business for the Reason afores^d & the Major part of the house was of an opinion that they ought not to proceed but they forbore putting any Such Resolve upon their Journal but afterwards did resolve that if his Excellency would send forth a writt bearing date before the day appointed for that they would proceed on the matters before them upon which his Excellency was acquainted with the same and desired by the Assembly to send forth such Writt to which his Excellency assented; that as to the Latter Part of the said Article in sending forth Writts for Members when others was Legally Chosen this Deponent refers to the Journal of the Assembly which he Believes will make appear that the said Writts were sent forth by the Order of the house Philip Clarke

8th Article he Suffers Members of the Assembly to be Elected where the Majority of the Electors are known Papists & Disaffected to his Majestys Government

Does Say he knows nothing of that Article but does believe Roman Catholicks have elected Burgesses

p. 33 9th Article were Papists and Persons disaffected to the King & Government are Suffered to elect they Choose all such Persons as are disaffected to the King & Governm^t as they did lately on Captain Henry Smith of S^t Marys when another Person was duly elected & returned

Said Clark does say he knows Nothing of that Article but is Sensible that the said Captain Smith who was Elected was dissatisfied & dissaffected to the Revolution And being asked whether ever he acquainted his Exc^{lcy} or any of the Govern-ment or house of Delegates thereof Says he did not

10th Article Such Persons as have been Dissatisfied to the King & Government he puts into the Offices of the Gov^t

To this Article the said M^r Clark made Answer in Writing as follows Viz^t

As to the Tenth Article viz^t Such Persons as have been dissatisfied with his Majestys Government he puts into Offices of the Government This Deponent Saith that as for S^t Marys County where he dwells according to the Antient Division he knows of no Protestants there what was Refractory in the time of the late Revolution Save one Captain Henry Smith as to other Parts of this Province this Deponent knows nothing of his Own knowledge therefore Refers to the Record & Proceedings of those times which Doubtless will shew who was Dissatisfied who not

11th Such Persons as have been truly Loyal to their Majestys and first appeared for them & Gov^t he not only Prosecutes & Disturbs but calls them Traitors & Rebels & threatens to hang them

He says that according to the Words as they are there Lib. X. Expressed he cannot make Oath but will give his answer p. 34 thereto what he knows of it in writing.

14th Article he hath erected a Town in a very ill Remote Place of the Province which he hath named Annapolis Where he holds the Principal Courts enjoyns all Officers to Live their hath put the Countrey to an unreasonable Charge thereby to no Purpose & to add the Charge An ill Conveniency Ordered all manner of Persons that have Business at Common Law or Chancery to Come there on all Occasions & also Summoned all manner of Persons bearing any Sort of Office to attend there to no Purpose but to Expence & Trouble

The said M^r Clark does Say he knows Nothing of that Article

15th Article Upon every Slight way without any manner of Occasion he will send for Persons in Business with threats that if they do not immediately attend him he will send for them up in Irons & when they do come up to him he has nothing to say to them but Sware at them & abuse them with his Unreasonable Passion

The said M^r Clark does say he knows nothing of that Article but by hear say & being asked who he heard say so does say he cannot pticularly Remember but does think he has heard M^r Slye say so

16th Article he hath put the Countrey to an Unreasonable Charge by Building Churches too Big & too Chargeable for that Countrey to the great Prejudice of so Good a work & upon Land Belonging to Private Persons and in places not Proper nor Convenient to build Churches on

The said Clark says he knows nothing of that Article

17th Article There is forty Pounds of Tobacco p head settled p. 35 on the Church & Clergy throughout the Province which he abuseth by not applying it as intended & Orders the Clergy to be defrauded to the great Prejudice of Carrying on so pious a Work in that Countrey

To this Article M^r Clark says he knows Nothing of it

M^r Iames Crawford Attorney at Law being Sent for came Whereupon was Produced a Paper Containing Several Articles of Charge against his Excellency the Governor which the Iustices Grand Iury and the several Attorneys Practitioners of the Provincial Court had made Answer & Signed & the said M^r Crawford being asked why he Refused doing the like he makes Answer that he made a Rash Oath to himself in the Assembly time that he would not Concern himself either the one way or the other With those Articles but being Sworn upon the Holy Evangelist before Robert Smith Esq^r

Lib. X. Chief Iustice of the Provincial Court the said M^r Crawford does Confess and Acknowledge that he knows Nothing of truth in any one of them

Two Papers being produced to the Board under the hand & Seal of M^r Philip Clark to which he had Signed as Deputy Collector to Geo Muschamp Esq^r Collector of Potomack District his Excellency is pleased to ask him by what Power he Acted in that Station who says he did by Virtue of a Deputation from the said M^r Muschamp

Ordered that the said Papers be Referred to his Maj^{ty}s Lawyers for prosecution of the Parties Culpable according to Law

p. 36

Friday April the 15th 1698

The Council again Sate & were present as Yesterday

Col^o Ninian Beal came & gave the following Acco^t of what was done towards the Settlement of the New Rangers Viz^t

That on Wednesday last was Seven Night he went to Col^o Addison & sent to Captain Owen to meet him there but the said Captain Owen being out in the Woods did not Come in till Saturday at which time he Came in Col^o Addisons & being by the said Col^o Addison & himself discoursed with about this Affair Col^o Addison sent a Couple of Messengers to the Fort to Order the Rangers there to meet him at W^m Taynhills the next day where they meet accord^{ly} & Chose ten fitting Men out of the said Rangers to Serve under the said Col^o Beal & Captain Owen Viz^t five a Piece And did Appoint Two men out of each Party to Shell ab^t Twenty Bushels of Indian Corn in order to their Speedy Settlement & have as yet proceeded no further

A Presentment of the Grand Iury of the Provincial Court being here produced & read wherein they had presented the Iustices high Sheriffs & Clerk of Prince Georges County for Levying & receiving Several Sums of Tobacco of the Inhabitants of that County Contrary to Law

The honble S^r Thomas Lawrence Bar^t his Maj^{ty}s Secretary is pleased thereon to Observe that he knew Nothing of such Exaction Perpetrated by the Clerk of that County before therefore disclaims any Property in the Tenths of Such Tobacco as the said Clerk hath so illegally Received and with all Signifies that he will take Care to displace him & Constitute Some other fit & Capable Person in his Stead

p. 37

It is thought Convenient that the Provincial Court be Adjourned till the Last Tuesday in Augst next & Ordered accordingly

Ordered that Iohn Hazlewood one of the Coroners of

Dorchester County be discharged from his said Office for Lib. X. Charging & Receiving of Fees Contrary to Law as by the presentment of the Grand Jury of the Provincial Court appears & that a blank Commission be sent over to Coll^e Charles Huchins to insert some other Capable Person as he shall think fit in his Stead.

Ordered that the Presentment of the Grand Jury of the Iustices of Talbot County be delivered to his Majestys Lawyers to Prosecute—

And that the presentments of the Commissioners of Calvert & S^t Marys County be Examined by the Records whether they be not allowed more then they Ought

Ordered that the Clerks of S^t Marys and Calvert Countys do upon Sight hereof Return unto his Excellency at the Port of Annapolis an exact Acc^t under their respective hands to be Sworn to in open Court of the Number of days each particular Commissioner has sat in Court from the time of the laying their County Levy in the year 1696 Until the laying the Levy this last Year & that the respective Ordinary Keepers where any of the Comm^{rs} have been charged Expences upon the Score of their attendance on Courts do also send the Particulars of those Expences Under their Respective Hands to Commence the said Acco^{ts} from the time afore mentioned & to be Continued to the Laying the Levy also the Last Year which said Acco^{ts} are to be likewise Sworn to by the said Respective Ordinary Keepers in Open Court & afterwards returned to his Excellency with all Possible speed the Sheriffs of those two Countys being hereby Ordered to Serve the said Clerks & Ordinary Keepers with a Copy of this Order p. 38

Upon Representation of the honble S^r Tho Lawrence Bar^t his Majestys Secry of this Province that he has received Information from the honble James Frisby Esq^r & others concerning some late enormous Practices committed by the present Clerk of Cæcil County Court about the Election of Delegates of that County & that he is much given to Sotting & Drunkenness.

Ordered thereupon that the said Clerk be displaced and that the honourable S^r Thomas Lawrence Commissionate some other more fit and Capable Person in his Stead

M^r William Bladen Clerk of the house of Delegates being sent for Come

And he is asked to make Answer what Charge the Speaker gave to the Committee of Agreivances & whether any Charge was given them before he had the Oath of Secrecy Administred to him as Clk of the house he says that the Speaker did give a Charge to the Committee of Grievances before

Lib. X. such Oath administred which Charge was to the Effect following viz^t that he would have them to Enquire the reason how the Levy came to be higher now then in the Lord Baltimores time or words to that Effect which was all that was Given them in charge at that time before his being Sworn to Secresy And the said M^r Bladen made Oath thereto accordingly before his Excellency in Council

Ordered that it be Consulted by his Majestys Lawyers
p. 39 whether or no Considering three of the Gentlemen of his Majestys honble Council have failed to be here & there being but three now present & the rest not Coming in Order to the Sitting as a Court for hearing Appeals & writts of Error pursuant to Summons & for that in Particular there now depends a Cause in Appeal before this Court upon an Information brought in the Provincial Court against the Sloop Pick Pockett of New York Arnold Nodin Master which will Require Determination speedily the Honble Coll^o Henry Iowles Chancellor may not upon this Absolute Case of Necessity Sit therein as one of the Iudges the said matter being Never likely to Come before him in Chancery & that they make Report thereon according to this Board with all Convenient speed

In Obedience thereto the said Gentlemen make the following Report viz^t

May it please your Excellency

It is our Opinion that Coll^o Iowles may sitt & Iudge this Cause together with the rest of the Council.

Geo Plater
Rob^t Gouldsborrough
William Dent

The honble Robert Smith Esq^r Chief Iustice of the Provincial Court Major Iohn Hammond & Cap^t Rich^d Hill two more of the Iustices of the said Court are by Order sent for who came accordingly

His Excellency is pleased to acquaint them that the Reason of his Sending for them at this time was that he had Considered with his Majestys honble Council the Great Want of
p. 40 more Councillors for the more Speedy Dispatch of Business respecting his Majestys & the Countreys Service in all Affairs of the Gov^t & other Matters coming before them by the Want whereof their is great Delay of Business & more Especially by the Death of three of his Majestys honble Council therefore thinks to recommend them to his Majesty as Persons fitting to Serve in that Quality & Station in the Room & Stead of the honble Coll^o Geo Robotham Coll^o

Nicholas Greenberry & Coll^o David Brown deceased Appre- Lib. X.
hending & Esteeming them Gentlemen not only Qualified
but also well affected to his Majestys Interest & Government
& free from Espousing any Private Parties against his
Majestys Royal Authority & Prerogative the said Gentlemen
do severally Return his Excellency their humble & hearty
thanks for the good Esteem he has Conceived of them &
for the favour & honour they are likely to receive by being
so recomm^d

It being Represented that Lieuten^t Coll^o Ridgely of Ann
Arundel County hath often applyed himself to his Exc^{lcy} to
be discharged from his Command being aged & infirm & for
that Coll^o Nich Greenberry the former Colonel of the said
County is dead it is thought fit upon the honble Thomas
Tench Esq^r excusing himself in not being Concerned in any
Military employ he being Constituted Judge of his Majestys
Court of Vice Admiralty on the Western Shore of this
Province & taken up with other Business Captain Hill by
reason of his being an Antient Officer be Constituted Colonel,
Major Iohn Hammond Lieu^t Coll^o & M^r Charles Greenberry
the Son of the said Coll^o Greenberry dec^d Major of the said
County & that they Take Care to Regulate the said Militia P. 41
Officers under them pursuant to former Instructions issued
therein

Mⁿ Mary Vansweeringen being again sent for Came &
was Sworn by Rob^t Smith Esq^r in the presence of his Ex-
cellency & Council to make true Answer to what Questions
should be asked her in Relation to M^r Philip Clark's further
talking against the Gov^t before or after the former Words
she had made Oath to

Who says that the same night the former Discourse hap-
pened the said Philip Clark told her that M^r Bladen would be
turn'd out from being Clerk of the Assembly by reason of
some words spoke by the said M^r Bladen Sewell & M^r
Butler which they were said to Complain of to Major Lowe
Viz^t that half of the People of the Country was Bought &
Sold which Words was Reckoned as a very great Grievance
however in the Conclusion said that he would be Clerk by
Reason they could not tell where to get such another &
further that he would get him to be Clerk provided he would
Submit himself & be sorry for what he had done or words to
that Effect the said Mⁿ Vansweeringen further saith that as
she Came up in Company of M^r Harpam to this Port they
met one Captain Iosias Wilson of Calvert County who told
them that Some of the Members of the house would have
some Papers burnt under the Gallows or words to that Effect
whereupon she said to M^r Harpam that was like Clarks dis-
course at S^t Marys & being asked what she Imagined to be

Lib. X. the Reasons why the other Persons in Company with the said
 P. 42 Clark did not hear his discourse as well as her Self Does Say
 that the said Clark directed his Discourse Solely to her &
 perhaps might speak softly & that they might have been
 Drinking before

M^r Harpam being Sworn by the honble Rob^t Smith Esq^r
 Chief Iustice of the Provincial Court does say that as to what
 words were sworn to by M^r Vansweeringen to have been said
 by Captain Wilson upon the road he can Remember no further
 discourse then that he heard him say he had been at Annap-
 olis & that some of the Members of the house had told him
 there were some Papers to be burnt or Words to that Effect
 as he verily believes But as to M^r Clark he Confesses he
 heard him Say Some time before the City Election that the
 Kings Lawyers would be called to Acco^t at the Assembly for
 some Opinion they had given which he believed or hoped
 would be found Contrary to Law or words to that Effect but
 cannot tell which of those words hoping or Believing the said
 Clark made use of but withal does say that Clark told him he
 believes it would be a hot Assembly by Reason there were
 many of the Natives in it

Ordered that M^r William Harpam Clk of the Mayors Court
 of the City of S^t Marys do Return a Copy of all the Proceed-
 ings by him in the said Court Since his being Concerned as
 Clk thereof which he is to make Oath to before the Iustices
 of the County Court of S^t Marys & afterwards Transmit the
 Same accordingly unto his Excellency at the Port of Annap-
 olis with all Convenient speed

Ordered that the Court of Appeals & Writts of Error do
 Sit to morrow morning

P. 43 And that Arnold Nodin have his Sloop and Cargo delivered
 upon his giving Bond to Answer the Value in Case of Con-
 demnation upon the Appeal

As to the Negroe Imported in the said Sloop Ordered that
 it be Referred to the Kings Lawyers to advise whether the
 said Negroe ought to Come under any appraisment or not

Ordered that Commission of the peace issue for S^t Marys
 County.

W Bladen Cl Concil

[Naval Officer's Bond.]

Maryland ss.

Noverint univ^{rsi} p p^rsentes Nos Samuelem Watkins Provin-
 ciæ de Maryland Thomam Tench et Robertum Smith ejusd.
 Provinciæ Armigeros teneri et firmtr. Obligari honorabilibus
 Comissionarijs Customar. Angliæ pro tempore p^rsenti in

plena et Iusta Summa duor, Mill. Libr. bone et Legalis monet. Lib. X.
Angliæ Solvend. Serenissimo Dno nro Gulielmo tertio Dei
Gratia Angliæ Scotiæ ffrancie et hiberniæ Regi heredibus Vel
Successoribus Suis ad quamquid Solucōne bene et fiellr faci-
end Obligamus Nos et quembet nrūm herēd Ex^m & Adm^{res}
nros. et quoslibet eorundem pro toto et in Solido Seperatim
& Coniunctim firmtr. per prsentes has Sigil nro Sigillat Dat
Decimo tertio die Maij Anno Regni Dni Regis Decimo An-
noq Dni 1698

The Condition of the above obligation is Such that Whereas
the above bounded Samⁿ Watkins is by his Ex^{ty} ffrancis
Nicholson Esq^r his Matys Cap^t genⁿ and Gov^r in Chiefe in
and over his Province of Maryland afores^d Appointed and
Commissionated to be Navall Officer of the District of Putux-
ent in the Province of Maryland, Now if so be that the said
Samⁿ Watkins shall well and faithfully Execute the said Office
psuant to the Severall Acts of Trade and Navigation and
Especially the late Act. of Parliam^t made año Septimo &
Octavo Gulielmi Tertij Regis Entituled an Act for p^rventing
frauds and Regulateing Abuses in the Plantation Trade and
the Oath by him taken before his said Ex^{ty} the Governor in
Councill according to the directions of the said Act for the
true and faithfull p^rformance of his Duty Then this Obligation
to be Voyd otherwise to remaine in full force and Virtue

Signed Sealed and delivered in the p^rsence of

ffra: Nicholson

S Watkins [Seal]

Rich^d Hill

Tho: Tench [Seal]

Thomas Tasker

Robert Smith [Seal]

[High Sheriff's Bond.]

Maryland ss

Know all men by these p^rsents that we Henry Lowe, Henry
Iowles Esq^r & William Barton in the Province afores^d gent
are holden and firmly bounden unto his Sacred Majesty King
William the 3^d &c. in the full Summe and Iust quantity of two
hundred Thousand pounds of good Sound Merchantable
Leafe Tobb: & Cask to be payd unto his Said Majesty his
heires & Successors To the which paym^t well and truly to be
made we bind our Selves and either of us our & either of
our heires Ex^m and Adm^m Ioyntly and Severally for the whole
& in the whole firmly by these p^rsents As wittness our hands
and Seales this Eighteenth day of May in the 10th Year of
his Majesties Reigne &c. Anoq Dni 1698

The Condition of the Above Obligation is Such that if the
above bounden Henry Lowe do well and Truly Serve his
said Majesty his heires and Successors in the Office of high
Sherriffe of the County of S^t Marys within this Province and

Lib. X. also shall render Unto his Said Majesty and other his Officers a true pfect & faithfull acc^t of all and Singular his Majestys dues & to his Officers a Iust and true Acc^t of their fees that he shall or may be Intrusted with by his Matys Gov^r & other his Officers within this Province afores^d to Receive & Collect & his account to his said Majesty his heires and Successors or to his or their Gov^r here for the time being for the fines forfeitures & other Dues belonging to his s^d Matys Govern^t as also his acc^t of all fees dues or Sums of Money or Tobb: for Leavys or fees due to any of his Matys Officers and other good people within this Province shall Pass and Acc^t for by the tenth day of Aprill next ensuing the Date hereof And in
 p. 189 all things as Sherriffe of the said County of St Marys shall behave himselfe well and honestly towards all psons according to the best of his Power Skill and knowledge then this Obligacōn to be Voyd and of none effect or else to stand in full force strength & Virtue

Signed Sealed & Delivered

In the p'sence of

Thomas Laurence

Thomas Tench

Richard Hill

Henry Low

Henry Iowles

William Barton

Cockpitt february the 23th 1697/98

Honrd S^r

By direction of the Lords Commissioners of the Councill of Trade I send along with this Packett of theirs a Ream of Paper ruled in the forme which their Lordships Conceive proper for the Uses intimated to you by their Letter of the 2^d September Last and which they desire may be made use of accordingly (but Especially for the Iournalls of all publick proceedings) and when this is done that other paper ruled to the same forme be provided and made use of in the same maner I am

To Coll Nicholson

Honoured Sir

Your most faithfull humble

Serv^t W^m Popple

p. 187 fforasmuch as by his Maj^{ty} in Councill the 13th day of ffeb^{ry} 1695: It was Ordered th^t the Keeper of his Maj^{ty}'s great Seale of the Province of Maryland, should have & receive one halfe of the usual fees setled by act of Assembly there, for sealing all Grants & Pattents of Land; Nothwithstanding I do hereby testify & declare th^t I have not at any time rec^d any part or parcell of such fees for Sealing the Pattents of Land as afores^d though often demanded the same, but have been allwais and am still denyed by the Lord Baltimores Agents

here to be allowed or paid any part thereof, they having Lib. X.
rayased new objections both against the time & manner of
giving obedience to that his Maj^{ty} Royall Ord^r and Comānd
Given und^r my hand this 23^d day of May 1698.

Hen^r Jowles Chanc^{ll}

S^r Tho: Lawrence Barr^{tt} his Letter of Attorney to his Ex^{cy}
the Governour.

Maryland ss:

To all Christian people to whom these p^rsents shall come
S^r Thomas Laurence Barr^{tt} of the Port of Annapolis in Mary-
land his Matys Secretary of Maryland sendeth greeting Know
ye that I the s^d S^r Thomas Lawrence being bound to England
and believing it Convenient to have Constituted some worthy
& discreet p^{son} in my Absence to Order and dispose of what
Estate belongs to me in this Province have proposed &
obtained the Consent of his Ex^{cy} Francis Nicholson Esq^r Cap^t
gen^{ll} & Govern^r of this Province to accept and undertake the
ordering & disposeing my Estate in this Province dureing my
Absence.

Therefore I have and by these p^rsents do Constitute ordain
& appoint the s^d Francis Nicholson Esq^r my true and Lawfull
Attorney & rep^rsentative for me and in my name to enter
into any Lott or Lotts for Lands that I hould in Annapolis
and also take possession of any goods Chattells & Creditts
to me Apperteining in Maryland and the said Land or Lotts
of Land & p^rmisses goods & chattels for me & in my name
to hold possess & enjoy or to bargain Sell Lease ffarm or
Otherwise allien and Sell in ffee simple fee Tayle or Otherwise
as to my said Attorney shall seem Expedient & to th^t purpose
to make or Cause to be made any Deed or Deeds grants
ffeoiffments or Conveyances for the s^d Land or Lotts of Land
& p^rmisses and the same to Signe Seale & deliver for me and
in my name according to the form of the Law of this Province
and if need require to deliver possession by Turff & Twigg
pursuant to any such Deed or grant of Land. And finally
to do all things Necessary or requisite in Law for the full &
Cōpleat p^rfecting & finishing any such deed either of ffeoiffm^t
or Lease of Lands And I do also hereby give and grant unto
my S^d Attorney full Power and Authority to Ask Demand
Levy require recover & receive all Debts dues or dutys
belonging or apperteining to me in Maryland either in
Tobacco money goods or Chattells from any p^{son} w^{soever}
by any meanes w^{soever} and for default or neglect of paym^t
to sue Implead Imprison any person or p^{sons} w^{soever} and

Lib. X. upon Receipt of any debt or debts Acquittances or other discharges for me and in my name to make Seal and deliver Attorneys one or more under my said Attorney to make and
 p. 199 Constitute and the same att his will and pleasure to revoak and make Voyd Compositions or Agreem^{ts} with any Debtor or Creditor to me to make Compound and Agree for me and in my name and also to bargaine sell and deliver all or any my goods or Chattells wthsoever in Maryland according to Instructions herewith left with my s^d Attorney and finally to Act p^rforme Execute and do all things Necessary and requisite in the p^rmisses as fully Largely and Amply as I myself might or Could do If I were p^rsonally p^rsent hereby promising and engaging to Ratify allow and for ever hould firme and Valid all & wthsoever my s^d Attorney shall Lawfully do Act or Execute in the p^rmisses by Virtue of these p^rsents.

In Wittness whereof I have hereunto Sett my hand & Seal this twenty third day of May in the Tenth year of the Reigne of King William the 3^d &c. Anoq Dni 1698

Signed Sealed & Delivered Thomas Laurence

In the presence of us

Hen Iowles

Jo^s Hamond

W Bladen

S^r Thomas Laurence Barr^{tr} deputation to the Deputy Publique Notary in Talbot County

Maryland ss.

To all persons to whom these p^rsents shall come or any ways Concerne S^r Thomas Lawrence Barr^{tr} his Matys principle S^cry and Notary Publique of this Province Sendeth greeting whereas his Ex^{ty} ffrancis Nicholson Esq^r his matys Governor & his Matys hon^{ble} Council have given leave to me the said S^r Thomas Laurence to go for England for the recovery of my health And I the said S^r Thomas being desirous that all p^rsons wthsoever may in my Absence be Supplied with all necessary Matters whereof the Execution belongs to my Office of Notary Publique I have made Constituted Ordained and Appointed And I do by these p^rsents make Constitute ordaine and Appoint Thomas Collier of Talbot County gent to be Duputy Notary Publique of the said County hereby giveing unto him the said Thomas Collier all and Ample power & Authority to Act do p^rform & fulfill all & singular the Act & Acts Attestations Protests and all other necessary matters that have usually been p^rformed or
 p. 200 ought to have been p^rformed in the said Office in as full and Ample maner and as effectuall to all Intents and purposes as

if the Same were pformed by my Selfe to have hould and Lib. x.
Exercise the said Office of Deputy Notary Publique dureing
my Absence out of this Province or untill his Majestys
Pleasure be further declared therein or my Orders to the
Contrary made known to the said Thomas Collier he the
said Thomas Collier Rendring unto the said S^r Thomas
Laurence a full acc^t of the Profitts of the said Office of
Deputy Notary Publique and paying unto the said S^r Thomas
one halfe part of the full profitts thereof when Demanded
In wittness whereof I have hereunto sett my hand and Seal
this 20th day of May Anoq Dni 1698

Thomas Laurence

S^r Thomas Laurence Barr^{tt} Deputation to the Deputy
Publique Notary in Sommersett County

To all persons to whom these p'sents shall come or any
ways Concerne S^r Thomas Laurence Barr^{tt} his Matys Principal
Secry & Notary Publick of this Province sendeth greeting
Whereas his Excellency francis Nicholson Esq^r his Majestys
Govern^r & his Matys hon^{ble} Councill have given leave for me
the said S^r Thomas Laurence to go for England for the Re-
covery of my health and I the said S^r Thomas being desircous
th^t all psons w^{so}ever may in my Absence be supplied with
all necessary Matters whereof the Execution belongs to my
Office of Notary publique I have made Constituted deputed
and Appointed and by these p'sents I do make Constitute and
Appoint Iohn West of Summersett County gent to be Deputy
Notary Publique of the said County hereby giveing unto him
the Said Joⁿ West all & ample Power and Authority To Act
do pform & fullfill all & singular the Act and Acts Attesta-
tions Protests and all other necessary matters that have usually
been pformed or ought to have been pformed in the said
Office in as full and Ample maⁿer and as effectuall to all
Intents & purposes as if the Same were pformed by myselfe
to have hould and Exercise the said office of Deputy Notary
Publick dureing my Absence out of this Province or until his
Majestys pleasure be further declared therein or my Orders to
the Contrary made known to the said Ioⁿ West rendring unto
me the said S^r Thomas Laurence a full acc^t of the Profitts of
the said Office of Deputy Notary Publique and paying unto
me the said S^r Thomas one halfe part thereof In Witness
whereof I have hereunto sett my hand and Seal this 20th day
of May Anoq Dni 1698

Thomas Laurence

Lib. X. S^r Thomas Laurence Barr^{tes} Deputation to the
p. 201 Deputy Notary Publick of Cecil County.

Maryland ss.

To all people to whom these p'sents shall come or any ways Concerne S^r Thomas Lawrence Barr^{tes} his Matys Principle Secretary and Notary Publique of this Province Sendeth greeting Whereas his Ex^{ty} Francis Nicholson Esq^r his Matys Govern^r and his Matys Hon^{ble} Councill have given leave for me the said S^r Thomas Laurence to go for England for the recovery of my health and I the said S^r Thomas being desirous that all psons w^{so}ever may in my Absence be Supplied with all necessary matters whereof the Execution belongs to my Office of Notary Publique I have made Constituted ordained and Appointed And by these p'sents I do make Constitute ordaine & Appoint John Thompson of Cecill County gent to be Deputy Notary Publique of the said County hereby giveing unto him the said John Thompson all and Ample Power & Authority to Act do pforme & fulfill all and Singular the Act and Acts Attestations Protests and all other necessary matters that have usually been pformed or ought to have been pformed in the said Office in as full and Ample maⁿer and as effectual to all Intents and purposes as if the Same were pformed by my selfe To have hould and Exercise the said Office of Deputy Notary Publick dureing my Absence out of this Province or untill his Majestys pleasure be further declared therein or my Orders to the Contrary made known to the s^d John Thompson he the said John Thompson rendring unto the s^d S^r Thomas Lawrence a full acc^t of the profitts of the said Office of Deputy Notary Publique and paying Unto me the said S^r Thomas one halfe part of the full profitts thereof when Demanded In witness whereof I have hereunto sett my hand and Seal this 20th day of May Annoq Dni 1698.

Thomas Laurence

[Conference with Indians.]

Pursuant to an order of his Ex^{ty} the Gov^r & Councill bearing Date the 18th of October last past requiring those persons appointed att the head of the Bay to treat with the Shavanoie Delleware & Susquehannah Indians or the Major Part of them so soon as Could be to proceed on their said Treaty whereupon Notice was given to the severall Nations aforesaid that on the 23^d day of May 1698 wee would meet them att the house of Capt. John Hanse then & there as well to Communicate what by this Govern^r was given in Charge to Receive what by their great men they had to

Communicate to us at which day and place appointed we the Lib. X.
Said p^{rs}ons nominated (M^r Vanderheyden only Excepted) mett
and there Stayed till the 26th Instant by reason th^t the King of
the Susquehen and one of the Shavanole Kings were not
Come the reason as was Supposed of theire delay being a
great fresh that filled the Runs & so retarded there Travell
but they not Appearing the said 26th day we thought it not
Convenient to stay any Longer one of the Shavanole Kings
by name Penascok & Owhalla King of the Delleware Indians
together with nine of his great men being mett according to
Appointm^t Cap^t Jo^s Hanse together with Hendrick Peterson
& Cornelius Comagys being Chosen and Sworn Interpreters
Pursuant of the Afores^d Ord^r We proceeded to Informe them
that Whereas Att a Committee Held att Annapolis June the p. 173
1st 1697 we were required to Represent that Certain Indians
Outlyers upon the mountaines the names of Severall whereof
were discovered and in another Order of Councill Inserted
were Indians properly belonging to the Nation of the Susque-
hano which Nation were by the said Order required (foras-
much as they were in Amity with us) That they should call in
theire mountaine Indians or be accomptable for them in Case
of any Injuries or Damage To which they Answered it was
Just & reasonable.

It was Demanded if any of the said Indians nominated were
Resident among them, to which they Answered in the Nega-
tive.

2^{dly} We Informed them what measures were taken ab^t the
Piscataway Indians which they well approved of desireing
that the Amity & friendship w^{ch} they the said Shavanole &
Delaware Indians ever professed to the English might stand
& remaine Inviolat.

3^{dly} Beshaccus A Delleware Indian and Interpreter Chosen
by the Susquehanahs being asked if he had any thing to
Communicate on the behalfe of the said Nation Sayd he Re-
ceived no further Instruction from them then that they would
be p^{rs}ent att the day & place appointed and seems to be under
some Consternacōn for theire non Appearance.

4^{thly} It was acquainted them th^t the p^{rs}ents delivered by
Beshaccus & Cap^t Hagrup to Cott Jo^s Thompson for his Ex^{cy}
were faithfully delivered & th^t the said p^{rs}ents were by his
Ex^{cy} Kindly Rec^d and th^t he Expected to see them Att Annap-
olis where he would fully Satisfy them for their p^{rs}ents.

And we acquainted them likewise that his Ex^{cy} never took
any p^{rs}ent from the Indians but he gave them in Return for
the same more then they were worth & that he Comonly tooke
but one thing of a Sort and gave them back the rest on w^{ch}
they shook hands with us in token they were well pleased &
Satisfyed with his Ex^{cy} kind acceptance.

lib. X. It was also acquainted the great man of the Shavanole th^t the p^rsent formerly Delivered to Coll: Herman for the use of his Ex^{ty} were never delivered by him att which he and the rest of the Indians p^rsent seemed much Concern'd at the Abuse afores^d.

p. 194 It was required if they had anything to offer or Communi- cate to the Governm^t to w^{ch} they Answered they had nothing farther then to desire that League of friendship Contracted between us might remaine Inviolable and that they all ways took us for their friends and that they will be so to us, That they mett us now not for any Complaint they had to make of any Injury susteined by the English but onely to heare by the great man of the Susquehanahs who has lately been taken Prisoner by the Naked Indians & redelivered what it was he had upon that & his Own Nation acc^t to offer being so desired by them

Interpret ^r	{	Jn ^o Vrans Saelsmans	Io ^a Thompson
		Cornelius Comegys	Ed: Boothby
		Hendrick ^{his} Peterson	Thomas Richardson
		mark	

On the 26th of May Instant The Treaty with the Dellawares being Compleated & we the p^{rs}ons Appointed by this Governm^t for Managem^t thereof departing homeward In the Interim Came Connetectah King of the Susquehanaes together with two more of his great men & one Lewee Lewison a frenchman resident among them who gave an acc^t th^t the Shavanole King with his great men were on their march but by reason of his great Age Could not Come so farr as they but would be with us that night he the s^d Conetectah Desiring the Presence of the Dellaware King and his great men to hear on the Morrow what he had to Offer to the English & Indians in Amity with us from Lowensah King of the Shawkelawgues als Naked Indians and accordingly in the Evening Came Meaurroway King of the Shawanoles brought on horsback by reason of his Age together with one of his great men and one Martine Shartee a french man resident & married Among them but being late in the Evening and Understanding they had much to Offer on that Subject we resolved to deferr the business till the next Morning being so requested by the Indians who were Somewhat discomposed by reason of their Long hard travell Accordingly on the morrow wee the persons appointed haveing given Notice by Cap^t Hanse Steetman Interp^rter in Chiefe for the Northern Parts of this Province Orders to Acquaint the Indians that we would proceed and haveing given them what Methods we took for the Managem^t thereof accordingly We tooke our Place where

were p'sent Connetectah King of the Susquehanahs Meauro- Lib. X.
way King of the Shananoles with Penascoh his Coadjutant P. 195
& Owahala King of the Delewares theire great men Sitting
on one side there Interpreters Standing behind them, The
Interpreters Apointed by us being Cap^t Hanse & Hendrick
Peterson & forasmuch as the Indians had brought french men
with them we Choose & swore Jacob Burghway truly to
deliver what he should receive from [them] or by us should be
Offered to the Indians according to theire Respective Nations
thereby proposeing to facilitate the Treaty none of our
Interp'ters being p'fect in that tongue The Interpreters
Chosen and Appointed by the Susquehannahs was Lewee the
french man & Sewackutt als horsecourser & Beshaccus a
Dellaware & on the p'te of the Shavanoles Martine A french
man, for the Dellawares our own Interp'ters.

first we proceeded to acquaint the Susquehannahs and
Shavanoles that we had according to Appointm^t mett &
waited theire Comeing for the Space of 4 days not without
Some dissatisfaction for theire non Appearance to which they
Answered that the Cause of theire Delay proceeded not from
any Careless neglect of theire promise or Iealousie they had
of the English but were hindred in theire Iourney by the great
freshes that filled the Runns occasioned by the great Raine as
fell the day preceeding the Day Appointed for our treaty
Whereupon by our Interp't^m we gave them to Understand
theire reason was Sufficient to Excuse them att which they
were well pleased and shook hands in token of friendship.

Wee next proceeded to acquaint the Susquehanah King
that the presents by him Sent by Beshaccus to Coll Thomson
for the use of his Ex^{cy} were delivered according to request
that they Were Kindly accepted th^t his Ex^{cy} had Expected to
see them and the Rest of the Kings att Annapolis where he
Intended to make them hon^{ble} Satisfaction for them on w^{ch} he
Replied So they were but accepted he was well Satisfyed &
thereupon shook hands in token of friendship with us againe
we next acquainted the King of the Shavanoles that the
p'sents by them delivered for the use of the Governor to Coll
Herman were never Recēd by his Excelency nor any acc^t of P. 196
them att which they seemed much dissatisfyed saying they
had delivered him for his Excellency's use Twenty Beavers
ten Large drest Skins & one Otter and wondred that they
never had received any acc^t whether they were accepted or
not to w^{ch} we Replied it was not theire p'sent but theire good
will his Ex^{cy} looked upon att which they were well pleased and
shook hands as the former.

We farther acquainted the Kings of the Susquehannahs
and Shananoles that Certain Indians lying back upon the

Lib. X. mountaines the names of Severall whereof were incerted in an Order of Council there before us were Indians Suspected to be Authors of the Murthers lately Comitted and were said to be Indians belonging to the Susquehannah Nation who were required as also the rest of the Indians if they had any Outlyers to call them in to which the Susquehannah King replied that they had no Indians that lay out as he knew of that if any p'tending themselves of the Susquehannah Nation Were outlyers they are such as were never under the obedience of his Governm^t We also asked the Kings in generall if any such Indians as were there nominated were residents among them or one Esq^r Tom to which they answered no; nor were they acquainted with any such p'sons.

We then asked the King of the Susquehannahs what he had to Communicate to the English whereupon he gave us to understand th^t Last fall he was taken by Eleaven of the Shaukkerawq and Carried Prisoner to there nation att which he stopp'd & Ordered his flag to be brought him w^{ch} was In-closed in a leather bagg saying here is a flag of Peace Rec'd from the King of the Shawkerawques then Calling Beshaccus to Come sitt by him on his right hand after haveing advanced it gradually and with a great deal of formality delivered it to Beshaccus to unveile who boar it advanced all the remainder of the treaty and there proceding to give an acc^t of his Kings behalfe what was to be offered on that Subject the Substance of which as follows That there King being Taken Prisoner by the Shawkeraques the last fall was Carried Cap-tive to there Nation where he was kept bound for the space of a month after w^{ch} time Expired he was by Order of the King released who bid him not be afraid for th^t he should be restored to his own Nation that it was not the Cruelty of his nature prompted him to make warr nor the delight he tooke in the Effusion of human blood for that he knew better & feared th^t Eternall God of Nature the Author of life & being
 p. 197 who by his own power could over rule the sun but a Necessity of State for the procureing a gen'all & everlasting Peace with all Nacōns in Order to which he has Endeavourd to take of all Nations that now by him alone he hoped to effect his desires & th^t he would forbear all Acts of hostility for the Space of one year either wth the Christians or Indians in w^{ch} Space of time he required the Christians & Indians Answer by the King of the Susquehannahs but if not Returned in th^t time he should then look upon us as Adversaries th^t for his Safety in passing & repassing the woods he should bear the fflagg w^{ch} w^d be his Security in Case of any Danger & hoped the Chris-tians would not be against his proposall seeing he desired no other then a free Trade with our Indians & a peace wth all

Nations this being the Substance of w^t he had to Offer on Lib. x.
behalf of the Shawkerawques he then acquainted us that it
was the King of the Susquehannahs Resolution not to agitate
any thing on the behalfe of himselfe or Nation without the
Consent of this Governm^t desireing their Result in the mat-
ter so soon as possible with Convenience & th^t they might
receive their Answer at the house of Cap^t Hanse w^{ch} Reso-
lucōn was approved & Confirmed by the Other Nations
Unanimously resolveing to Act & do no further then what
this Governm^t will Consent Unto in gen^l desireing the Amity
& Peace between th^m & this Province may stand firm & good
as formerly whereupon they shook hands with us in token of
the Sincerity of their Affections so we drank our Kings
health & his Ex^{cy} & shook hands with th^m & p^ted friendly.

The aboves^d proceedings } Jo^a Thompson
were sent his Ex^{cy} inclosed } Ed: Boothby
in this following Lre (Viz) } Thomas Richardson
 } Jn^o Noerstallman
 The mark of Henry Peterson

May it please y^r Excellency

Inclosed is an acc^t of our Proceedings with the Indians att
the head of the bay w^{ch} we could not possibly sooner p^rforme
by reason of the Indians were not come in I give your Ex^{cy}
further Acc^t that the Susquehannah King was by the Naked
Indians last August taken Prisoner & was by sixty of the
same Indians brought within one days Journey to his own
Town with great Hon^r home againe inclosed likewise is an
acc^t of Some News from the Northern Parts w^{ch} lately The p. 198
Lyceners of New York is very much Countenansd by the new
Gov^r & tis Reported th^t Coll: fletcher goes home a Prisoner I
have not further to Offer but th^t I am

Your Ex^{cy}s most obedient Serv^t

from Bohemia River
June the 2^d 1698.

Jo^o Thompson

At a Council held at the Port of Annapolis the 4th day of
Iune 1698.

Present

His Excellency the Cap^t Gen^l &c^a

the honble { Coll^o Henry Iowles Chancellor
 Thomas Tench Esq^r
 Major Iohn Hammond & Cap^t
 Richard Hill being sent for Came }

Lib. X. Produced & read a Duplicate of a Letter of the 23^d of February 1697/8 from William Popple Esq^r S^cry to the Lords of the Committee of Trade & Plantations to his Excellency the Gov^r wherein the said Esq^r Popple mentions a Rheam of Paper sent from their Lordships ruled with Red And that
 p. 44 their Lordships Direct that the Iournals & publick proceedings of this Province be writt on such paper the said Rheam of Paper was delivered to the Clk of this Board to be lodged in the Council Office not being at Present known how it is to be made Use of

Proposed att the Board that whereas there is now Occasion to send to New York to his Exc^{ll} the Lord Bellamont & M^r Iohn Perry the Post who agreed with the Assembly being lately dead his Excellency is in hopes to Agree with one Joseph Man to perform that Service for some small reward of Five or Six Pounds to which the Gentlemen are Consenting & the said M^r Man being Called Expressed his readiness therein & had Instructions given him to go on his said Journey on Monday next

M^r Philip Lynes Appearing at the Board and giving an Acc^t of some Extraordinary Cures lately wrought at the Cool Springs in S^t Marys County & that Several Poor People flocked thither to recover their healths and Limbs

His Excellency the Governor is to send & give to those Poor People at the said Springs Ten Bibles there to Remain for the use of the poor people that Comes thither

His Excellency also Orders that Cap^t James Keech and M^r Philip Lynes do provide some Sober Person to read Prayers there twice a day to whom he will give 12^d p Day & is pleased to send the Person that Reads prayers there a Book of Homilyls two Books of family Devotions & a Book of Reformed Devotions written by D^r Theophilus Dorrington out of which Books he is read to them on Sundays

p. 45 Further Ordered that the said Captain Keech & M^r Lines acquaint Iohn Dent who is the Owner of the said House and Land that if he be willing his Excellency would have a reading Desk & some Benches made in the New house there for the reader to read Prayers & the People to Sit on which by the Leave of the said Captain Dent, Captain Keech & M^r Lynes are Ordered to get made & his Excellency will pay for them

His Excellency is pleased likewise to give & Allow to the said Poor People every Sunday a Mutton & as much Indian Corn as will Amount to Thirteen Shillings p Week & orders M^r Lynes to Consult Captain Keech in Order to provide the same & his Excellency will pay them for it

Ordered that the Person that reads prayers at the Cool

Spring take an Acco^t of what Persons Come thither who are Lib. X.
Cured & of what Distempers paper being sent him by the
said M^r Lynes

Ordered that the several Officers provide good Differing
Locks to their Offices in the State house

1698. Major Thomas Smithson D^r to the Hon^{ble} } p. 202
Lord Baltimore for rent of his Lands }

		l	s.	d.
To houlden 225 Acres att 4 ^s 6 ^d p year.	5 years.	01	.02	.06
To houldens Addition 50 A. 01. 00 p y.	5 y. . .	00	.05	.00
Mill road 200 A. att 8. 0 p y.	5 y. . .	2	.00	.00
Bight p ^t 30 A. att 8. 0 p y.	5 y. . .	02	.00	.00
Brains Blank 32 A. att 1. 3½ y.	5 y. . .	00	.06	.05½
Millroad add. 150 A. att 6. 0. p y.	5 y. . .	01	.10	.00
Holdens range 90 A. att 3. 7 p y.	5 y. . .	00	.17	.11
Reviveing Springs 500 A. att 20 p y	5 y. . .	05	.00	.00
Mickle Wire p ^t 140 A. att 5. 7 p y	5 y. . .	01	.07	.11
Darlington 250 A. att 10 p y	5 y. . .	02	.10	.00
Millroad 2 add 300 A. att 12 p y	5 y. . .	3	.00	.00
Long Acre part 50 A att 2 p y.	5 y. . .	00	.10	.00
Tot.		20	.09	.09½

p Contra Cred ^r				
By 1 hhd of Tobbb: rec ^d att Thomas		l	s.	d.
Raynold Containe Neat 400 ^{lb} at 2 ^d p p ^d		03	.06	.08
Ball Due.		17	.03	.01½
Jan ^{ry} 25 th 1694		20	.09	.09½

Major Thomas Smithson D ^r	Tobacco
To yo ^r Bond Dated the 27 feb ^{ry} 1686	7200
To yo ^r Bond Dated March the 4 th 1686	2400
To yo ^r Bond March 1686.	0720
To yo ^r Bond March 1686	1200
To yo ^r Bond Iune the 20 th 1687	8400
	19920
By Tobbb: p ^d Last year & } the year before }	5800
Due	14120

Iune the 14th 1698.

This being a true Copy from the Rent Rowle as the above
gent stands indebted to the Right Honble L^d Baltimore as
also w^t he is indebted by Bonds to his L^d shipp as it was given

- l.1b. X. to me to Collect by M^r Lawrence Knowles which was appointed
to Collect the Same for his L^d shipp's use by M^r Charles Carroll
Antho: Runball

p. 203 Maryland Porte of Annapolis Iuly the 22^d 1698

Recēd them from his Ex^{cy} ffancis Nicholson Esq^r Cap^t gen^l
and Govern^r in Chiefe of his Matys Province of Maryland &c
and his Matys hon^{ble} Council of the said Province a pacquett
of Lres and other papers wherein are inclosed second Bills of
Exch. the said Lre being directed for the hon^d Cap^t Peter
Paggen Merch^t in London and perusall the said Bills were
(Viz)

One drawn by Cap ^t John Clark Comand ^r of the	1	.	.
Ship Iohn & Margaret for	49	.10	.00
By Cap ^t Sam ^l Pacy Com ^{dr} of the Colchester			
Adventure for.	29	.15	.06
By Cap ^t Edw ^d Burford Com ^{dr} of the ship			
Iames for	62	.02	.06
By Cap ^t Humphey Pellew Com ^{dr} of the ship			
Braggett for.	26	.17	.00
By Cap ^t Thomas Lurting Com ^{dr} of the shipp			
Iosiah for	50	.17	.00
By M ^r Rob ^t Mason on M ^r Isaack Millner w th			
Lres of Advice.	30	.13	.02
	249	.15	.02

Together With a Letter for M^r Isaack Millner which I promise
to take care of and send to the said Cap^t Paggen and M^r
Millner by Daniell Watts

p Tho: Tasker

At a Council held at the Port of
Annapolis Iune the 29th 1698

Present

His Excellency the Captain Gen^l &c^a

the honble	{	Col ^{le} Henry Iowles Chancellor	}	Iustices of the provincial Court
		Thomas Tench Esq ^r		
		Cap ^t Rich ^d Hill		
		Thomas Tasker Esq ^r		
		M ^r W ^m Dent &		
		M ^r Rob ^t Gouldsborrough		his Maj ^{ty} s Council at Law.

Then produced and read a Letter from the honble Coll^o Lib. X.
Iohn Courts praying Excuse for not attending in Council p. 46
being at present much indisposed Whereupon he is Excused.

Appeared before this Board Captain Francis Harbin, M^r
Gilbert Clark Thomas Dillion Edw^d Fields Iohn Shanks M^r
Joshua Guibert M^r Iohn Baptista Carbeny & Kenelm
Cheseldyn Esq^r & this Board understanding that the said
Persons were knowing and had heard of several indirect &
evil Actions practices & discourses used & done by Gerrard
Slye Iohn Cood Sen^r Robert Mason & Philip Clark of S^t
Marys County Gent did Order the said Persons to write down
their several Depositions wherein they were to set forth the
Truth the whole truth & nothing but the Truth what they
themselves knew or had heard Concerning the s^d M^r Sly M^r
Cood M^r Mason & M^r Clark in relation to this his Majestys
Government or his Excellency the Governor thereof

And thereupon the said persons withdrew & their several
Depositions being written they made Oath upon they holy
Evangelists before Cap^t Richard Hill and M^r Thomas Tasker
two of his Majestys Iustices of the Provincial Court And the
said Depositions were delivered to his Majestys Lawyers

Iune the 30th 1698

Council Sate Present as Yesterday

Also were present Captain Rich^d Hill Thomas Tasker Esq^r
George Plater Esq^r M^r Rob^t Gouldesborrough & Major
William Dent

Upon reading a Certain Paragraph in a Letter to his p. 47
Excellency the Governor from the right Honble the Lords of
the Council for trade and Foreign Plantations relating to the
qu^r part of the Revenue of 12^d p hhd due from his Excellency
the late Governor Copleys Estate Whereupon the Several
Papers relating thereto being produced were delivered to his
Majestys Lawyers who are asked what is done therein &
thereupon the said Gentlemen make Answer that Process is
issued

Geo Plater Esq^r his Majestys Receiver of the District of
Pattuxent is ordered to draw out of the Iournals of the
Council in Assembly & the house of Delegates how the
Country Arms &c^a are Disposed of & the Reason thereof

A Petition of M^r Thomas Grunwyn read wherein he prayed
Satisfaction for his Labour and pains in Examining the
Acco^{ts} of the Order of his late Excellency Governor Copley
in Order to discover what remained in his which might be
applied to make good the q^r part of the 12^d for Arms recd
by the said Governor Copley the said Petition was referred

Lib. X. to Geo Plater Esq^r to make Answer thereto & when any thing Recovered to see the Petitioner Satisfied

Read a Duplicate of a Letter from the right honble their Lordships the Lords of the Council of trade & foreign Plantations to his Excellency the Governor of the 2^d of September 1697 wherein they Require that the Laws of this Province be fairly Transcribed for their Perusall & his Majestys Royal Approbation.

p. 48 Thereupon Ordered by this Board that the hon^{ble} Coll^o Henry Iowles Chancellor Thomas Tench Esq^r & Maj^r Iohn Hammond take care to Employ Clarks and have the said Laws fairly Transcribed upon the Large Ruled Paper Lately sent by their Lordships for publick Business to be writt upon

Recommended to the said Gentlemen that they observe what Acts of Assembly of this Province are agst Pyrates

This Board observing their Lordships in their said Letter take Notice of several imperfect returns sent them do say that the reason thereof is the incapacity of the Officers here not Experienced nor heretofore used to make such Returns

Also upon reading the aforesaid Letter of their said Lordships Ordered by this Board that the Severall Sheriffs of the Province do Straightly pursue his Excellency the Governors Proclamation upon his Grace the right Hon^{ble} Charles Duke of Shrewsbury Letter to his Excellency Concerning Pyrates and Sea Robbers that they may be Detected & punished

His Excellency representing to the Board that he had lately received Advice of several East India Goods late Brought to New York for which a Ship was now under Seizure no legal Coquets from England Appearing for the said Goods

Ordered therefore that his Majestys Collectors & Survey^r & the Several Naval Officers within the Province do take Care & straightly Examine the several Ships that Come into their Districts for the Discovery of Such Goods

George Muschamp Esq^r Captain Richard Clouds & Captain Edmund Payne appear before this Board & being asked what they knew of M^r Sly, M^r Cood M^r Clark & M^r Mason
p. 49 in Relation to their indirect And evil Practices against this his Majesty Governm^t

Captain Clouds says that he being lately at M^r Slys house in S^t Marys County in a Room where was the said M^r Sly, M^r John Cood Sen^r & some other persons the said Cood did pull out of his Pockett a written Paper Book and said such an one as that made a Devil of One Government & he did not doubt but that would do the same by this & that he had waited four days for an horse to wait upon the Governor at Annapolis

And George Muschamp Esq^r made Oath before two of his Lib X. Majestys Iustices of the provincial Court that in the same Room M^r Sly being in Company Cood told him he was a Cowardly Fool for being for M^r Nicholson that he had pulled down one Government & did not doubt doing the same by this and seemed to Glory much Saying he only wanted an horse to go to Annapolis

Captain Clouds, Captain Payne & Geo Muschamp Esq^r having made Oath to their several Depositions before two of his Majestys Iustices of the Provincial Court the same were delivered to his Majestys Lawyers.

The hon^{ble} Thomas Tench Esq^r Iudge of the Court of Vice Admiralty on the Western Shore represents that accord^s to his Excellencys Order he came up to the Port of Annapolis to hear the Complaint of M^r Iohn Athea Merch^t against Captain Giles Wigginer Commander of the Corellis of Lond^o But that the said Athea made no Complaint to him hav^g agreed with Captain Wigginer who delivered him what Goods he demanded

The Petition of Alexander Lumley Esq^r read & Complain- p. 50 ing against one Patrick Morphew of Baltemore County Ordered that M^r Lumley bring his Proofs thereof

The Petition of Ruth Grigs als Mortram read together with the Reverend M^r Peregrine Coney his Answer thereto the said Petition & Answer Ordered to be given to M^r Carrol the said Ruth Griggs Procurator

His Excellency is pleased to give to the Gentlemen present being the Iustices of the Provincial Court & of his Majestys Council at Law an Act of Assembly made in Pensylvania entituled an Act for preventing frauds & regulating abuses in the Trade of that province & Countys annexed & wills them to advise whether the said Act be not prejudicial to his Majestys Service & especially in that Cause Ascertainig the Methods of all Tryals on the several Breaches of the Acts of Trade & Navigation to be according to the Common Practice of the several Courts of Records within that Province by twelve men of a Iury of 12 Men of the Neighbourhood.

His Excellency delivers the Acco^u of the Treasurers of the Western and of the Eastern Shore to Geo Plater & Geo Muschamp Esq^r who were directed to send Authentick Copies thereof to the right hon^{ble} the Lords of the Council for Trade & Foreign Plantations that they may see how the publick Revenue of this Province has been disposed of

M^r Edward Batson appearing at the Board his Exc^{lcy} is pleased to give him a Commission to be a Naval Officer at the Port of Annapolis.

Thereupon the said M^r Batson took the Oaths of Alle- p. 51

Lib. X. giance & the Oaths appointed by Act of Parliament instead of the Oath of Supremacy & Subscribed the Test the said M^r Batson also gave Bond for the due Execution of his Office According to the late Act of Parliament made in the Seventh & Eighth years of the reign of our Sovereign Lord King William the third & likewise took the Oath for the Encouragement & increasing of Trade appointed by the said Act of Parliament.

The petition of M^r Clement Hill of S^t Marys County & his wife Referred to his Majestys Council at Law to make report thereon

The Clark of the Provincial Court being sent for Came & these following Certificates for discharge of Navigation Bonds being read & approved of were delivered to him to be filed up in his Office viz^t

For the Rainbow of Lancaster Jonathan Ben M^r Dated the 5th of June 1696

For the Ship W^m & Elizth Henry Bird M^r dated the 26th of Nov^r 1697 & the Lords Commissioners Letter thereon.

A Certificate for the London Arms Iohn Wade Mas^r dated the 18th of December 1697 for Bond said to be Given the 20th of July 1690

This Board considering the Backwardness of the Year that no late Commands are Come from his most Sacred Majesty or the right honble the Lords of the Council of Trade & Plantations nor any absolute Necessity of the Assembly now meeting do Consult and Advise his Excellency the Governor to issue his Proclamation to prorogue the same until the Twentieth day of October next

And accordingly such Proclamation being prepared was read & Approved of & Ordered to pass the Broad Seal of this Province

Ordered that a Proclamation for securing runaway Sea men be prepared & those Masters who have Signed the Address to his Excellency to be therein Nominated that Copies of the said Proclamation be sent to the severall Naval Officers and read on Board the several Ships & the Masters to take Copies thereof

Produced and read an Acco^t wherein Major Tho Smithson the Speaker of the house of Delegates stands Indebted to the Lord Baltimore in 14120 $\frac{1}{2}$ Tobacco & £17. 3. 1 $\frac{1}{2}$ in money which is reasonably suppose to be a great tye or Obligation upon the said Maj^r Smithson to his Lordship

His Excellency is pleased to Say to the Board that whereas he has thrice with the advice of his Majestys honble Council here wrote to his Excellency S^r Edmond Andros his Majestys Lieu^t & Governor General of the Colony of Virginia who

never yet returned any Answer thereto it plainly appearing to him that the said Cood is much Countenanced in that Governm^t Lib. X.

And that he sees great Occasion to have an hundred men kept out on Wiccocomico & Potomack Shoar in this Province & two Sloops with an Officer & twenty men in each of them to lye in that River to prevent any ill Attempt by Cood or others

Proposed that a Letter be writ to his Excellency the Governor of Virginia that in Case Sly or Cood be in his Government to have them Apprehended & Delivered to this Government & that he will now issue his Proclamations to the Several Sheriffs of that Colony to take them and deliver them to this Government Otherwise if any Misfortune or Prejudice should happen for want thereof it cannot but be imputed to him. p. 53

[Naval Officers' Bond.]

June 30, 1698.

Maryland ss Noverint Univ^{si} p p^rsentes nos Edwardum Batson, Richardum Marsham & Ninian Beale gen^rsos teneri et firmiter Obligari hon^{bus} Comiss^{bus} Customar in Anglia pro tempore p^rsente in plen et Iust Sum^a duar Mill Librar bone et Legalis Monet Angliæ Solvend eisd Com^{bus} aut Suis Certis Attornat Vel assignat Suis ad quamquid Solutionem bene et fidlr faciend Obligamus Nos et quembet. nrūm p Se pro toto et in Solido hered Exōres & Admres nros firmtr. p p^rsentes Sigillis nris Sigillat Dat apud Port Annapolis 30 die Junij Anō Regni Supra dicto Gulielmi 3th Dei Gratia Angliæ Scotiæ franciæ et Hiberniæ Regis &c 10^o Annoq dmi 1698

The Condition of this Obligation is such that whereas the above bounden Edward Batson is by his Ex^{ty} ffrancis Nicholson Esq^r Cap^t gen^l and Govern^r in Chiefe in & over his Matys Province of Maryland and the Territorys thereto belonging Appointed and Comissionated to be Navall Officer of the Porte of Annapolis according to the direction of a Certaine Act of Parliam^t Entituled An Act for encouragem^t of Trade made in the fifteenth year of the reigne of our late Sovereigne Lord King Charles the Second of blessed memory now if so be the said Edward Batson shall well and faithfully pforme his duty in the said Office in all things thereto relateing Then this Obligacōn to be voyd and of none effect or else the same to be and remaine in full force and Virtue. p. 211

Sealed and delivered in
the p^rsence of
Hen. Iowles
Thomas Tench
Richard Hill

E. Batson [Seal]
Rich Marsham [Seal]
Ninian Beal [Seal]

Lib. X. Know all men by these p'sents That we Edward Batson, Richard Marsham & Ninian Beal of the Province of Maryland afores^d gentⁿ are holden and firmly bound unto his Ex^{ty} ffrancis Nicholson Esq^r his Matys Cap^t gen^l and Chiefe Govern^r of this Province in the full & Iust Summe of one Thousand pounds of Lawfull money of England to be paid to the said ffrancis Nicholson Esq^r his Ex^{ty} Admⁿ or Assignes to the which paym^t well and truly to be made we bind our selves and either of us by himselfe our and either of our heires Ex^{ty} and Admⁿ loyntly & Sev^rally for the whole and in the whole firmly by these p'sents Wittness our hands and Seales the 30th day of June 1698

The Condition of the above written Obligation is such that whereas his Ex^{ty} ffrancis Nicholson Esq^r afores^d hath Comissionated and Appointed the said Edward Batson to be Navall Officer of the Porte of Annapolis within the s^d Province by his Comission bearing equall date with these p'sents Now if the s^d Edward Batson shall well & truly pforme the said Office According to the Sev^rall Acts of Parliam^t in that Case made & provided and shall observe the directions Contained In the Acts of Assembly of this province relateing to the Duty of Nav^l Officers and from time to time Save defend and keep harmless the s^d ffrancis Nicholson Esq^r from all Damage Loss and Charges that the s^d ffrancis Nicholson shall Susteine att any time by reason of the s^d Batsons non pformance of his said Office (so long as he shall enjoy the same) as is in said Severall Laws Enacted and Ordained Then the above Obligacōn to be Voyd and of none effect Otherwise to be and remaine in full force and Virtue

Sealed and Delievered in	Edward Batson	[Seal]
the p'sence of	Richard Marsham	[Seal]
Hen Iowles	Ninian Beal	[Seal]
Thomas Tench		
Rich ^d Hill		

p. 212 Maryland porte of Annapolis Iuly 23^d 1698

Received Then of his Ex ^{ty} ffrancis Nicholson Esq ^r his Matys Liev ^t Governour Gen ^l of this Province third Bills of Exchange drawn by Capt John Clark Comander of the Ship Iohn and Marg ⁿ for	49	.10	.00
By Cap ^t Sam ^l Pacey Comander of the Colchester Adventure for	29	.15	.06
By Cap ^t Edward Burford Com ^{dr} of the Ship James for	62	.02	.06
By Cap ^t Thomas Lurting Comander of the Ship Iosiah for	50	.17	.00

By Cap ^t Humphrey Pellew Comand ^r of the				Lib. X.
Ship Braggott for	26	.17	.00	
M ^r Robert Mason on M ^r Issack Millner	33	.13	.02	
All amounting to	249	.15	.02	

Arising out of the q^t part of the 12^d p^h hhd given by his Maty for purchasing Arms and Amunition for this Province the said Bills being to be lodged in my Office till further directions from his Ex^{ty} and his Matys hon^{ble} Council I say received p me

W Bladen Cl Concil

July the first 1698

The Council again Sate and were present as Yesterday.

And the several Depositions given his Majestys Council at Law to peruse being read in Council are as followeth viz^t

M^r Gilbert Clark of Charles County deposeth that being in Company with M^r Gerrard Sly at the said Slys house Sly drank a health to Longston where upon the Deponent asking whose health that was Sly told him it was a Gentlemens that was coming in Governor of Maryland the Deponent did hear the said Sly about the beginning of May last publicly discourse that having Entertained a Sollicitor who was a Grand Iacobite to manage his Articles put in before the Lords of the Committee of trade and Plantations against his Excellency Francis Nicholson the day following being with the Solicitor so reteyned there came another Gentlemⁿ a Iacobite who applyed himself to the said Slys Solicitor And told him that he came to Reteine him for a very honest Gentleman Whereupon the said Solicitor told him if not Reteined by the other Party he would embrace the Cause & upon the Gentleman making him acquainted for whom he would retein him the said Solicitor told him he could not take it for he was reteyned of the other Side whereupon the said Gentleman Soll^r made Answer Damn it You have taken a Cause against the honestest Gentleman of our Party in all his Majestys foreign Plantations upon which the Deponent Asked him the said Sly how could that be and his Excellency the Governor have the favour of the Lord Bishop of London Tush replied the said Slye the Lord Bishop of London knows nothing of him Sly carried the Deponent into his Lodging room & there produced the Journals of the last Assembly and said he had as good information as M^r Nicholson p. 54

That M^r Slye received several Letters from Cap^t Francis Harbin and reading one said it was his Sollicitors Letter who had seen Major Langston three days before and that he was

Lib. X. busy in order to this Country for his Post And further assured the said Sly that if he could make out but two of the Articles he would lay M^r Nicholson on his back

M^r Ioshua Guibert Deposeth that M^r Gerrard Sly M^r Philip Clark & some others being at his house the Deponent pulled of M^r Clarks Cap & Seeming much offended said thus I bought that cap to face Nicholson, When Lieu^t Coll^o Low took Sly by virtue of a Præcept from the Council Board, Sly asked the Depo^t to be Bayle for him and he would Warrant him he would do that Damn'd fool Nicholsons Business for him

Captain Richard Clouds Deposeth that on Friday the 24th of Iune 1698 being at Slys house the said Sly beckoning with
p. 55 his finger Called him into his New Room & Shut the Door in which Room was M^r John Cood Sen^r who pulled out a written Book out of his Pocket & said such another as this hath made a Devil of one Government & doubted not but that he would make a Devil of this Government & that he had waited four days for an horse to go to Annapolis to wait on the Governor.

That he heard Sly say the Governor durst not grant Commissions for fear of Displeasing King Iames

George Muschamp Esq^r Deposeth that being at M^r Slys on the 24th of Iune he there met accidentally M^r John Cood Sen^r who said he was a damned Cowardly Fool and would repent too late of what he had done in being for M^r Nicholson for that he the said Cood was not one of them fools the world took him to be, & said he had pulled down one Government & wou'd do the like by this Gov^t seeming to Glory much, and said he only wanted an horse to wait on the Governor

Captain Edmund Payne Saw Iohn Cood Sen^r at his house on the 24th of Iune where the said Cood told him he feared being Seen by the Sheriffe but withal bid Defiance to any that would oppose him

Coll^o Henry Mitchell Saith that being att M^r Syles Some time in May last, Sly took Pen Ink & Paper & with his own hand wrote Major Iohn Langstons Coming Governor of Maryland who Came by his means & procuring, Speaking Slightingly of his Excellency Governor Nicholson Said, there were many Governors whom the King did not know to be Govern^{rs}

p. 56 M^r Philip Clark of S^t Marys County being in Company At the Same time Said that when the Governor was last in England in his Travels naming a Place in Yorkshire he kissed * * * * * & drank a health out of it

Iohn Shanks Deposeth that when he Served a præcept upon M^r Slys which required Special Bayle the said Sly huffed him & told him M^r Mason & he would do well enough for that, & Refused to give Bayle that when Sly last arrived Said Mason

ordered the Deponent to bring a Boat to Carry him up to Slys and when he came to Slys house, Sly said Honest Robin I am glad to See you, be not afraid of the Governor for he would protect him or words to that effect that some time in the Last month M^r Philip Clark bad the Deponent not be afraid of the Gov^r as long as he saw him stand and said that the Deponents father was a Good honest Planter & did believe as good a man as the Governor

Col^o Henry Mitchell Deposeth that meeting M^r John Cood Sen^r at M^r Gerrard Slys in S^t Marys County the said Cood then in Company with M^r Philip Clark & several others did say that he would not have Nicholson take him for such a Fool to stay in Maryland when he might go where he was Safe.

Upon which said Depositions & several Informations of the wicked illegal & Disloyal practices used & endeavoured by the said John Cood Gerrard Sly his Son in Law Robert Mason Philip Clark and others his Associates his Majestys Council at Law to whom the same were Referred do Report the same are Mutinous & Seditious & do tend to the raising Rebellion within this Province & the Subversion of his Majestys Gov^t here Legally Established

Whereupon it is Considered & advised that a War^t issue from this Board to apprehend the said Sly, Cood Mason and Clark & others their Associates Confederates & Abettors and to bring them before his Excellency the Governor & his Majestys honble Council on Thursday next being the Seventh Instant & accordingly Such Warrant was prepared & Signed by his Excellency the Governor and the Gentlemen of his Majesty honble Council & was directed to Lieu^t Col^o Henry Low high Sheriff of S^t Marys County

Ordered that Summons be sent for the Several Persons then to Appear here which are named in the depositions already taken & supposed to be know^s of Some of the ill Designs & Practices of the said Cood, Sly, Mason & Clark

Read a Letter to his Excellency the Governor from Captain William Phippard begging his Excellencys favour in some Law Concerns he had in this Province with George Plater & Ann his Wife Executrix of M^r Rob^t Doyne Deceased for that M^r Gilbert Clark his Attorney had wrote to him, the said Plater was so Boy'd up with Favour & so Great in this Government that altho he had Obtain'd Iudgment he could have no benefit thereof

Thereupon his Excellency was pleased to send for Kenelm Cheseldyn Esq^r Commissary General & Iudge for Probat of Wills &c^a & the said Esq^r Plater to whom the aforesaid Letter was referred to make Answer thereto

Who do answer and say that the said Plater has above two p. 58

Lib. X.

p. 57

Lib. X. Years Since filed in the Commissarys Office a full Acc^t of the Estate of the said Doyns & that M^r Gilbert Clark Attorney of the said Captain Phippard altho often cited had never appeared to make his Objections thereto

Whereupon his Excellency is pleased to say that Such Reflections offered by the said M^r Clark are of great Scandal to this his Majestys Governmen^t therefore upon proof, Orders his Majestys Lawyers to prosecute the said Clark for such his Slandering this Government as aforesaid

Ordered that now the Sickness is pretty well over the Several field Officers do train & muster their Troops & Companys and Send his Excellency a List of them Especially the four hundred new raised men

Ordered that M^r Richard Beard give a full & Ample Acco^t of what Arms Ammunition &c^a he rec^d

Then read his Majestys Proclamation forbidding persons who have been in the Service of the French King or King James to come into England without leave first obtained & this Board considering that several such Persons may come into this Province under mean Circumstances as Servant &c^a Ordered therefore that the said Proclamation be published in the several & respective Countys of this Province

His Majestys Proclamation against Prophaneness & Immorality read & Ordered that the several Sheriffs publish the same in their Several Countys that the Minister read one of
p. 59 them at the County Court before Prayers after which the Said Proclamations are to be delivered to the Clks of the Vestrys of each Parish by them to be published

Thought fit that a request be made to the Right honble the Lords of the Council for Trade & Foreign Plantations that when they send any printed Proclamations in, they will be pleased to send Enough for the Eleven Countys the Inhabitants giving more regard to such then written ones

Cap^t Iohn Hans Tilman an Indian Trader att the head of the Bay being asked Concerned the Indians that live there what Nations they are, he says they are Chauhannauks Susquehannahs & Delaware that the Chauhannauks are about forty men & live at a Town fifty miles of his house the Susquehannahs are about Fifty men live two miles further up at Caristaugua & Came from the Seneques

That the Delawares live at white Clay Creek are about forty men

Captain Hans being Asked whether the Susquehannahs live in this Province says they live about thirty Miles above Octerara Creek.

And that their King having been lately taken by the Naked Indians Intends according to his promise to go back to the said

Naked Indians who desire to be in Amity with this Government Lib. x.
and that the said King of the Susquehannahs will not go his
Journey without the leave of this Gov^t

That the Indians on Susquehannah River have constant trade p. 60
with Persons in Philadelphia & New Castle

Whereupon advised & agreed that inasmuch as this Board
do not find that the said Indians live wth in this Government
that a Letter be writ to his Excellency the Gov^r of New York
to acquaint him of the Application made to this Government
by the said Indians on Susquehannah River & that we Not
knowing but those Indians thô they call themselves Susque-
hannahs are Indians belonging to the Seneques & if Care be
not taken therein this Government may perhaps be a Re-
ceptacle for them

That we are not willing to have any Correspondence with
them without the Answer of that Gov^t

And as to the Application of the King of the Susquehannahs
for leave to go to the Naked Indians Ordered that a Letter
be writ to Lieu^t Coll^o John Thomson to acquaint him this Gov-
ernment will not meddle therewith, but that he may tell the
said Indians that whilst they behave themselves well &
peacably they may freely go & come without Disturbance & if
the said Indians have any thing else to Propose to his Excell-
ency they will do well to Come down to him

Advised & agreed that a Letter be writ to his Ex^{cllcy} S^r
Edm^d Andros to desire him to forbid all the Masters of Ships
in this Government to take on Board or Carry away M^r John
Cood Sen^r M^r Philip Clark M^r Rob^t Mason & M^r Gerrard Sly
but that he will take Effectual Care to have them apprehended
if in his Government that thereby they may be brought to p. 61
Answer According to Law & if his Excellency does not send
them over; this Government will send for them upon Notice
given

This Board Considering that whereas there is fourty Odd
Thousand Pounds of Tobacco in the hands of Major William
Whittington late high Sheriff of Somerset County being pub-
lick Tobacco undisposed of & whereas Tobacco now bears a
good Round price, do advise & agree that the same be sold
& that Major Whittington have Notice to have it in Readiness.

A Certain Gentleman Commonly called Alexander Lumley
Esq^r Appearing at the Board & Preferring a Petition by the
Name of Alexander Lumley, his Excellency is pleased to advise
him not to go by that Name but the said M^r Lumley behaving
himself very Contemptuously asking his Excellency if he was
his God Father, & being in drink, his Excellency is pleased to
Order his Majestys Lawyers to prosecute the said M^r Lumley
for Assuming such name upon him, & the said M^r Lumley

Lib. X. being desired several times not to be so troublesom to his Excellency & the Board for the Great Presumption & idle Behaviour the Sheriff of Ann Arundell County is ordered to take into his Custody till he gives Security for his good Behaviour

His Majestys Lawyers being present are put in mind & Charged to manage all Business wherein his Majestys is Concerned with Care & Diligence

Whereas Geo Plater Esq^r his Majestys Receiver of the District of Puttuxent stopt Money in his own hands for eight
p. 62 Barrels of Powder lent by the County to Captain Iohn Hurle

Ordered that the said Geo Plater Esq^r take Care to Send for the said Powder in small Quarter Barrels to Contain 26l each

M^r Plater being withdrawn his Excellency is pleased to Represent to the Board that the said M^r Plater is now Called upon to give an Acco^t of 622^l 06^s 2^d arising out of the three Pence given by his most Sacred Majesty for purchasing Arms & Ammunition for this Province & that the said M^r Plater offers to discount great Part thereof by Bills Drawn by Several Persons within this Province & not Particularly taken upon Acco^t of the Shipping And Requires the Opinion of the Board whether such Ought to be taken in discharge thereof

Whereupon it is advised and Concluded that as to the Ballance of M^r Platers Acco^t £18.. 6.. 23⁴ M^r Rob^t Smiths Protested Bill for Forty Pounds M^r Thomas Blakes Bill for Five Pounds M^r Iohn Pidgons for 33^l Major Walter Smiths for 30^l in all amounting to one hundred & Twenty Six pounds Six Shillings & two Pence three Farthings, the same ought not to be Allowed of, but that Esq^r Plater Stand charged therewith & remit so much to M^r Paggen or M^r Milner in order to persue the former order of Council for Arms to be sent in & that until the said M^r Plater Satisfy his Excellency the Gov^r that he has remitted so much for that end, that he send the Bills by him taken on this Acco^t to his Excellency who will take care duly to apply the Same to the end for which it is given, and that upon the said M^r Platers making up his Acco^t
p. 63 his Excellency will give him a receipt which Will be his Discharge therefore

Ordered that Geo Muschamp Esq^r Receiver of the Districts of Potomack and Pocomoke remit to his Exc^{lcy} the Governor the Quarter part of the Revenue given to purchase Arms to Captain Paggen or M^r Isaac Milner to be Disposed according to his Excellencys directions to the Said M^r Milner.

George Plater Esq^r maketh Oath to a Dockett of Actions on Navigation Bonds

Read over to Esq^r Frisby what was done in the late Councils which he Approves of

Annapolis Iuly the 9th 1698

Lib. X.

Memd that whereas his Majestys honble Council was appointed to meet at this Port upon the 7th Instant, did not according to the said Appointment, but Lieu^t Coll^o Henry Low high Sheriff of S^t Marys County made Returne to the Clerk of this Board of the Præcept he had to apprehend M^r Iohn Cood Sen^r M^r Gerrard Slye M^r Rob^t Mason M^r Philip Clark &c^s viz^t

That by Virtue thereof he had taken the Body of M^r Gerard Sly of S^t Marys County & M^r Sam^l Cooksey but that as to M^r John Cood he was fled M^r Philip Clark Absconded & M^r Robert Mason was languishing

And his Excellency the Governor being by the Clerk of the Council made acquainted therewith and that Lieu^t Coll^o Low had brought M^r Gerrard Sly to town together with M^r Cooksey

His Excellency ordered the Clerk of the Council to acquaint Lieu^t Coll^o Low that he required him immediately to bring M^r Sly before him. Whereupon the said Coll^o Low immediately brought the said Sly before his Excellency the said M^r Sly Coming into his Excellencys presence in a proud Scornful manner & setting his Arms on Kinbow told his Excellency he hoped he should be used like a Gentleman and Clapped himself down in a Chair over against his Excellency; whereupon his Excellency was pleased to tell him he should be used according to his merits & upon the said Slys speaking to him by the Title of M^r Nicholson only his Excellency required of him to Answer whether he knew him to be his most Sacred Majestys Governor of this Province Whereupon the said M^r Sly having been Commanded to Rise up from his Seat told his Excellency he did acknowledge him to be the Kings Governor p. 64

M^r Sly tells his Excellency he has done nothing but what he will own & Iustify & what he was Commanded to do by the Secretary of State

Whereupon his Excellency asked him for his Order for so doing to which the said M^r Sly made no Reply

Lieu^t Col^o Low is ordered to keep him in Custody until the next Council meets & accordingly withdrew with the said M^r Sly

M^r Samuel Cooksey being brought before his Exc^{llcy} who was informed of his the said Cookseys with Sly Cood Mason & Clark & that he had been privy to several of their Cabals & Combinations against this Governm^t M^r Richard Beard high Sheriff of Ann Arundell County is Ordered to take the said Cooksey into his Custody & to keep Seperate from the said Sly

Lib. X Mr Hugh Ellis Mr Tho Hatton Joseph Jessip Will^m Howell
 p. 65 John Jackson D^r Francis Greenfield George Cusack & Thomas
 Hudson being brought before his Excellency the Governor,
 are told that forasmuch as he Understood they had been
 knowing and would discover some what of the Undue &
 illegal Practices of M^r Gerrard Sly M^r John Cood Sen^r M^r Rob-
 ert Mason & M^r Philip Clark & others their Associates, they
 are now required to give their Depositions to the truth the
 whole truth & nothing but the Truth of what they knew or
 have heard of or from the said M^r Sly M^r Cood M^r Mason &
 M^r Clark in relation to this his Majestys Government or his
 Excellency the Gov^r thereof

His Excellency is pleased to ask D^r Francis Greenfield if a
 lay Brother or one so reputed did not come into the Country
 in the Ship Gerard along with M^r Gerrard Sly who says that
 a Person so reputed did Come in the said Ship

George Cusack being asked the same question saith one
 M^r Doyne a Lay Brother whom the Ships Crew did Mistrust
 so to be, did come in, in that Ship

The said Persons were Ordered to withdraw & to write
 down their Several Depositions what they had to say in this
 matter

Major John Hammond & Captain Richard Hill being sent
 for came as likewise M^r Robert Gouldsbrough to his Maj-
 estys Councill at Law

Then came M^r William Taylard & M^r William Harpam of
 S^t Marys County before his Excellency the Governor

p. 66 M^r William Taylard being asked to give Acco^t what he
 knows Concerning the ill Designs & Practices of M^r Gerrard
 Sly M^r John Cood Sen^r M^r Philip Clark & M^r Robert Mason
 & others their Associates & Abettors Saith that he hath been
 often in their Company and that they had Contrived Several
 Villanous & Scandalous Articles against his Excellency Francis
 Nicholson Esq^r his Majestys present Governor of this Province
 in which they had alledged that his Excellency had Caused
 M^r Denton late Clerk of the Council Deceased to be putt out
 of the way for that the said M^r Denton was a Material Evi-
 dence for his Majesty against him that his Excellency had
 promised Twenty pounds towards building a popish Chaple
 in the Port of Annapolis that his Excellency when he was in
 New England Emptied a Bottle of wine into * * * * * &
 drank it of & several other Scurrillous Reflections then used
 & that upon their Going to Make an Article of the Clause last
 mentioned some of the Company said that was too bold &
 did not think fit to have it Incerted

M^r Taylard Says that he hath Seen Father Hunter & several
 of the Romanists very frequent at M^r Slys house as also one

M^r Rowland whom he took to be a Papist but does verily Lib. x.
believe him to be a great Iacobite M^r Taylard Says that M^r
Cood said Tho Tench Esq^r who is one of his Majestys honble
Council did hold Correspondency with him & always gave him
an Acco^t of what was done in Council until such time as the
said Esq^r Tench was Admitted to his Excellency favour & to
Sit in Council

Then Came the honble Coll^o Henry Iowles Chancel^r

M^r Thomas Hatton of S^t Marys County appearing at the p. 67
Board saith that he is Employed by M^r Rob^t Mason late Sheriff
of S^t Marys County to receive Tol^o for him & that by the said
Masons Order he hath paid several Quantitys of Tobacco to
M^r Sly upon the said Masons Acco^t of which he has the Acco^u
by him Ordered that Colonel Low Secure the said Acco^u and
send them to Annapolis

It being offered that M^r Sly had alledged that he wanted to
have some Depositions against his Exc^{ll^{cy}} taken in this Gov-
ernment & was refused the said M^r Sly is called in & being
asked says he Carried M^r Phil^p Clark before Coll^o Iohn Courts
one of his Majestys honble Council & refused to take his
Deposition & that the said Clark was ready to Swear to eight
of the Articles against his Excellency

Thereupon his Excellency is pleased to acquaint M^r Sly that
if he or any others have any thing to swear Against him they
may come up to the next Provincial Court & the Iustices of
that Court will take their Depositions in the face of the whole
Countrey for which his Excellency will Give his Order & that
they may bring their Evidences upon whose Refusal or Denial
to Come, his Excellency will Order them to be Summoned, &
that he does hereby order a Copy which is given the said
Sly the Clk of his Maj^{ty} honble Council & the Several Clerks
of any the Courts within this Province to give them any
Copies of Records Gratis which the said Sly or others shall
require in order to prove the Articles by them preferred against
him

Then was read to the said Sly a Clause in his Excellencys
Letter to the right Honble the Lord Godolphin relating to
him & an other Clause in his Excellencys Letter to M^r Secry
Vernon

M^r Sly Offers as to the Articles against his Excellency he
was desired to prefer them that his Excellency might be Sen-
sible that he had been out of the Country a Long time &
Could know but Little of them but that M^r John Cood Sen^r
brought Copies of Several Orders of Council & Proclamations
to him & that he Could not be the Author of them

His Excellency is pleased to tell M^r Sly that he can give no

Lib. X. Credit to any thing he says & that he is now Called to Answer for what he has since he last arrived in this Province

Then the said M^r Sly was ordered to withdraw

The several Depositions relating to M^r Sly being Referred to M^r Robert Gouldesborrough of his Majestys Council at Law within this Province he makes Report that upon the Matters therein Contained he does find it absolutely Necessary for the Preservation of his Majestys Government here, & the tranquillity thereof that the said Sly give further Security for his good Behaviour & appearance at the next Provincial Court In the Sum of four Thousand Pounds Sterl then & there to Answer unto Such Things as shall be Objected against him on his Majestys Behalf, but in regard there are not enough of his Majestys honble Council here present as will make a Council but are expected on Monday next the said Sly is with the Advice of the Gentlemen present by his Excellencys special
p. 69 Warrent Committed into the Custody of M^r Richard Beard high Sheriff of Ann Arundel County who is thereby directed to have him on Monday next before his Excellency & his Majestys honourable Council then expected to meet at this Port

Ordered that the Sheriff of Ann Arundel County take into his Custody M^r Samuel Cooksey whom he is to have ready at the time & place aforesaid

At a Council held at the Port of Annapolis the 11th day of Iuly in the Tenth Year of the Reign of our Sovergⁿ Lord King William the third &c^a

Present

His Excellency the Cap^t Gen^l &c^a

the humble	{	Col ^l ^o Henry Iowles Chancellor	}	of his Majestys
		Col ^l ^o Iohn Addison		
		Thomas Brooke Esq ^r		
		Major Iohn Hammond		
		M ^r Robert Gouldsborrough		
				Council at Law

Ordered that the Sheriff of Ann Arundell County bring M^r Gerrard Sly before the Board

Came the said Sheriff & brought M^r Sly

Who is asked whether those Articles he preferred be the Same he Subscribed M^r Sly say they are & the first Article being read wherein he Charges his Excellency to have Opposed the Establishment of the present Government

His Excellency is pleased to ask him to prove the said Article & Commands him so to do

M^r Sly says Philip Clark will prove eight of the Articles but does not think himself Obligated to prove them

Lib. X.
p. 70

Read the 2^d Article to which Sly says he is not Obligated to prove here is asked to name his Evidence but does not

Read the third Article about imposing 6^d p hhd on Tobacco brought from Virginia

Sly says the Copy of his Excellencys Order thereon is with M^r Secretary Vernon

4th Article Sly Says the Copy of the Proclamation will Serve to prove it & as to his Excellencys saying his Interest was so strong that none would be heard against him, Sly says Cood has proof of it by great men his Excellency made use of

As to the 5th Article Sly says Coll^o Cood says he Can prove it

6th Article, the Grants of Commission &c^a Sly says he can prove that Article in the case of Rogers & him

7th Article he keeps the Assembly on foot &c^a Sly says he cannot prove that Article but there are them that will

8th Article he Causes new Members to be Elected &c^a Sly says that several Papists Elected Captain Henry Smith of S^t Marys County

9th Article that he prosecutes & disturbs all them that are truly Loyal &c^a Sly says that Coll^o Cood will prove that

To the 10th Article Sly says that M^r Sēcry Vernon has that order

11th Article he presses horses contrary to Law &c^a Sly says Coll^o Cood has the papers to prove it

Came Captain Richard Hill who was adm^d

12th Article about Annapolis his Excellency is pleased to take Notice of the Word Annapolis & does Say he knows Slys drift therein but that at the same time there was another Town & Port named William St^{dt}

13th Article about Churches &c^a Sly says there is a Church built upon his Land ready to tumble down before finished

Whereupon his Excellency tells him he is a good Evidence against Cood who built that Church there, before his Excellency came to this Government, the said Cood being a Vestry man of that parish & did not only cheat the Parish therein but likewise runaway with 15000^b of Tobacco of the fourty 1 p poll belonging to that Parish

M^r Sly is asked if he has anything to say to the other Churches to which Sly says there is one built on Westwood Manor, & it is answered without his Assistance, Care had been taken therein & that his Excellency had recommended to the Assembly who had made a Law to Secure the Land to that Church

14th Article Misapplys the 401 Tobacco p Poll & Defrauds

Lib. X. the Clergy &c^a Sly says Coll^o Cood has the papers & Parson Davies did Complain in England about it, is asked if he has any others to prove it, does not Say he has

15th He denies to try Coll^o Cood &c^a Sly says Cood has the Papers & that he is not bound to prove any Articles but what Relate to himself for that Coods petition is preferred as well as his

p. 72 16th Article Denying to take Bayle where the Law Allows it &c^a Sly says it was in the Case of Scurry & Rogers where the Iustices would not take Bayle for fear of being sent to Annapolis and Major Smallwood said that some Iustices upon a like Commission had been sent for to Annapolis

17th That he threatens the Assembly &c^a Sly says Coll^o Cood will prove it & believes he has others, further Says that he has heard it was spoke in the last Assembly

18th Article denying to Suffer an appeal in the case Sly Contr Scurry Sly says nothing to that

19th Article Driving Coll^o Cood from Maryland &c^a Sly says he has a Copy of the Order

20th Article prosecutes Coll^o Cood &c^a Sly says that is Coll^o Business to prove

21st Article taking the Negroes from Sly &c^a Sly Says his Brother Robert Sly Petitioned the Gov^r who sent an Order to the Court & they made an Order there upon, & that as to his Petitions to the Assembly says that if he had been in the Country, his house should not in that time have been made a Prison

22^d Article, Affronts the Assembly thin'd the house turn'd Cood out & made an Act against D^r Payne, Sly says that is Coll^o Coods Business to prove.

23^d Article about Striking People, his Excellency says he did beat Cood when he was drunk & made Disturbance at Divine Service & afterwards came & affronted his Excellency in his own house & that he has from under Coods hand begging his Pardon therefore, that he did Cane one Captain

p. 73 Snowden who in his Excellencys presence being Actually under arms did Suffer his men to fight with drawn Swords & did not endeavour to part & quell them

Sly says his Excellency beat one Burroughs whereupon his Excellency replied what if he had the said Burroughs was his Servant & his Cook

24th Article about the 400 b due from Coll^o Cood Sly says that is Coods Business to prove

His Excellency is pleased to tell M^r Sly as Before that if he or Cood has any persons to prove those Articles or any other they design to prefer against him if they will not come to Swear to them before the Provincial Court in the face of the

Countrey, he will send an order for them to Come up & if Lib. X. that he or Cood or any others want any Copies of Proceedings from the Council Books or any other Copies of Records his Excellency does now hereby order the Several Clerks to let them have them Gratis

A Copy of M^r Slys Petition being read where in the preamble it is said; the humble Petition of Gerrard Slye Gent & others Traders & Inhabitants of Maryland the said M^r Sly is asked who are them Traders & Inhabitants Sly Says he is not obliged to name them

His Excellency is pleased to say that if any Inhabitants or Traders have any Charge to prove against him that the better enable them so to do he does make them the same Offer as to M^r Sly & M^r Cood

M^r Sly is asked if he owns the Petition & says it is his

Read a Copy of M^r Coods Petition to his Majesty which p. 74 M^r Sly does say he own to be a true Copy of that which was preferred the same being endorsed with Slys hand Sly says he thinks it a very unreasonable thing that the Government should be removed to Annapolis thereby to put the Country to Charge

Read to M^r Sly an Abstract of a Letter of his to the Lord Godolphin wherein is thus set forth; those Countrys I've ever been acquainted with &c^a the said M^r Sly will not [own] any thing of his writing thereof

Read a Letter of the said Slys dated at Kiquotan Swan May the 4th 1697

One to M^r William Taylard dated at Iames Town in Virginia S^t Georges day

One to M^r Rogers of Plimouth dated Plym^o the 26th of Iune 1697

One to M^r Samuel Watkins dated at Plymouth 7^{ber} the 4th 1697

One to M^r Watkins dated at Bushwood April the 4th 1698

One to the Lord Baltemore dated Dec^r 26th 1697

The said Letters Containing many Scurrilous Reflections upon his Excellency Coll^o Nicholson & the said Sly being asked whether they were his Letters Refused to own them

Read a Letter from the said Sly to Captain Nicholas Smith which the said Sly owns to be his writing

Read to M^r Sly a Deposition of Captain Nicholas Smith about a wager Sly laid with him which Sly owns & Saith he has won it in preferring the Articles

There having been a Rumour spread abroad that M^r Sly p. 75 had got a Protection, his Excellency Commands him in his Majestys Name that if he has any such thing from his most Sacred Majesty or my Lord chief Iustice Holt as he has given

Lib. x. out he must now shew it otherwise he will not have any benefit thereby

M^r Sly does not Say that he has any such thing

His Excellency is pleased to tell M^r Sly that he having Said that he was not the Author or Inventor of the said Articles he required him to name the persons that did Invent & make them, M^r Sly is told that if he now remembers or can name any Persons to prove the Articles he shall have an Order for them to come up to the next Provincial Court to be held God willing the last Tuesday in August next

His Excellency is pleased to ask the Board if they have any thing more to say to M^r Sly who do Say they Observe he will make no direct Answer to any Questions asked him & therefore do not think Necessary to ask him any further Questions

The several Depositions of the persons summoned being taken before Major Iohn Hammond & Captain Rich^d Hill were read at the Board purporting the Associating of the said M^r Sly M^r Cood, M^r Mason & M^r Clark & the said Masons holding Correspondence & being in Comp^a with M^r Cood when the said Mason was high Sherriff of S^t Marys County & had a præcept to him Directed for the Apprehending him, grounded upon a presentm^t of the Grand Iury of this Province whereon they had found a Bill against the said Cood for
p. 76 Blasphemy and their Several Meetings & Cabals relating to the Gov^t & his Excellency the Governor thereof

The said Depositions are referred for perusal to his Majestys Council at Law & to advise whether it may be proper to remand the said Sly Back to the Custody of the Sheriff of S^t Marys County whereby he may the better be enabled to procure Bayle who is also to make Report what process is proper to be issued against M^r Mason M^r Clark & M^r Cood

Whereupon M^r Rob^t Gouldsborough of his Majestys Council at Law makes Report that it will be an Act of Favour in his Excellency & this honble Board to remand the said Sly into the Custody of the Sherriff of S^t Marys County whereby he will be better able to procure Bayle to deliver his Body but that he does not see any reason why the said Sly should have so much kindness shewn him & that M^r Sly may if he pleases remove his Body by writ of habeas Corpus which will be Granted him of Course & be in the same Capacity

That as to M^r Robert Mason it is requisite that a Warrant from this Board be issued peremptorily Commanding the Sheriff of S^t Marys County to have the said Mason before his Excellency the Governor in order to his Examination to the end the evil Practices & designs of M^r Cood M^r Sly, M^r Clark & their Confederates may be detected & Defeated

That Whereas M^r Philip Clark & M^r Iohn Cood have

Abscinded themselves & fled from Iustice it will be requisite Lib. X.
that a Warrant issue to the Sheriff of S^t Marys County or such
as he shall Depute for the Execution thereof to apprehend the p. 77
said Cood & Clark with power in the said Warrant to Com-
mand the Constable of the hundred where they are, to break
open any Locks or Doors to Come at them & when taken, to
have them before his Excellency the Gov^r at this port

Whereupon a warrant being drawn to remand M^r Gerrard
Sly into the Custody of the Sherriff of S^t Mary's County until
he should further recognize himself in the Sum of One thous-
and Pounds Sterl together with two Sufficient Securitys each
in the Sum of Five hundred pounds Sterl that the said Sly
should appear at the next Provincial Court to be held God
Willing the last Tuesday in August next to answer unto what
should be Objected against him on his Majestys Behalf & in
the mean time to be of Good abearance

The said Warrant was signed by his Excellency the Gov^r
the honble Cott^o Henry Iowles Chancellor Cott^o Iohn Addison
& Tho Brooke Esq^r

Also a warrant being drawn directing the Sheriff of S^t
Marys County or such as he should appoint for the Execution
thereof to apprehend M^r Iohn Cood Sen^r of S^t Marys County
& to require the Constable of the Hundred if the said Cood
should happen to Come into S^t Marys County to break open
any Locks or Doors to come at him whom if taken the said
Sheriff was to bring before his Excellency the Governor at the
port of Annapolis with all Convenient speed, was Signed by
his Excellency the Governor & the Members of his Majestys
honourable Council Present

The like warrant to apprehend M^r Philip Clark &c^a Signed p. 78
as the other & so directed

And also one other Warrant was issued Signed by his
Excellency the Governor & the members of his Majestys
honble Council Directed to the Sheriff of S^t Marys County
Commanding him that all Excuses set apart without delay to
bring the Body of M^r Robert Mason before his Ex^{llcy} the
Gov^r at this Port

Read a Letter from the honble William Blathwayte Esq^r
one of the Lords of the Council for Trade & foreign Planta-
tions & Secretary at War &c^a dated at Whitehall the 5th of
February 1697/8 wherein the said Esq^r Blathwayte doth
Signify to his Excellency that it is his Majestys pleasure to
have one hundred Mocking Birds Sent for his Volary at Loo;
& a duplicate of Such a number by another Ship as also all
other Birds & beasts of Curiosity that may be found to be
sent by the ships that Come for Europe & that especial Care
be taken in preserving them in their passage

Lib. X. Whereupon ordered by this Board that the Several Sheriffs of this Province give Notice to all Persons & especially the Poorer sort of Inhabitants that they Use their utmost Endeavours to procure all the mock^s Birds, Blew Birds, Baltemore Birds, Black Birds wth Red Wings & all sorts of Deer & other Beasts of Curriosity which Can be possibly Got his Excellency assuring them that he will see them paid for them unless such As shall be presented to his Majesty & the said several Sheriffs are hereby ordered to take Care to Ship & Consign them as formerly directed & to send the Bills of Loading accordingly it being his Majestys Express Desire to have such things
p. 79 Procured & Sent

Ordered that the several Colonels take care & inquire what became of the Arms & Ammunition the new raised men Carried up to the Garrison at the falls of Potomack in Prince Georges County & Baltemore County

Ordered that the Several Field Officers Change and Dispose of the Powder according to Ordinance of Assembly

Then was read a Letter from the right honble the Lords of the Council for trade & foreign Plantations of the 23^d of february 1697/8 as also a Letter from William Popple Esq^r Sēcry to their Lordships wherein is made mention of a Rheam of Paper lately Received & Lodged with the Clerk of this Board to be made use of according to their Lordships Directions

Then Came King Panquas & Armaulauquan two Indians appointed to speak for the Nanticokes & Complain that the honble Coll^o Charles Hutchins, Nēa Covington Iohn Hans & Christopher Nutter have each of them a Plantation seated upon their Lands att Nanticoke and desire that they may be forewarned of them

His Excellency asked them if they had Complained to the Indian Magistrates who say they did but that Thomas Enals & Tho Hicks took no Notice of them

His Excellency tells them he is sorry they have given themselves this trouble but what they now say will be writ to Major
p. 80 Ennals & M^r Hicks who will be Directed to settle this matter which if they cannot they are to draw out & state the matter to his Excellency & his Majestys honble Council at the next Provincial Court where it will be then Considered

The said Indians are warned not to take any Notice of that Felton that calls himself Emperor of Nanticoke for that he is not appointed by this Gov^t neither does his Excellency look upon him so to be

Came King Nicanoughtough a Choptank Indian above Cambridge with Five of his great men, says that he is Complain to his Exc^{ll^{ty}} about his Land upon which Major Taylor Henry Thomas, M^r John Anderson and three more have Plantations

His Excellency is pleased to ask the Indians if the Land be Lib. X
run out according to Ordinance of Assembly & they say that
it is not

The said Indians are advised as long as the Rogues the
Piscattoways are out always to take passes that they may be
known & more freely Suffered to pass And repass

His Excellency tells them that as long as they behave them-
selves well they will be friendly looked upon & Protected by
this Government that he could have the Emperor of Piscatto-
way & his Indians knocked in the head but that he lets them
alone to be sick & Starve in the Mountains & now they are
coming in again

The Choptank Indians say that one William Drawer by
Chance snapping of a Gun Shott one of their Women which
is dead the Indians say that about one hundred men of them p. 81
are dead on the Eastern Shore And Complain that some of
the English forwarne them from hunting upon their Land

Ordered that the Indians complaint & what they now Said
be sent to Major Thomas Ennals and M^r Thomas Hicks the
Magistrates appointed by act of Assembly to decide Differ-
ences between the English and Indians

And the following Letter signed by his Excellency was
given the said Indians who were told not to give Credit to
any Flying Storys but always apply themselves to the Gentle-
men appointed by act of Assembly to decide differences
between the English & them

Port of Annapolis July the 11th 1698

Gentlemen

By the Inclosed you will see the Indians Complaint which
they make to me about their Lands &c^a therefore to the end
no Misunderstanding may happen between them & us I do
command you to make due Enquiry thereinto & endeavor to
settle that matter with them which if you cannot do, you are
required to send an Acco^t thereof to the Council about the
8th of September next at Annapolis where it will be consid-
ered & adjusted I am

To Lieu^t Coll^o Tho Ennals &
Major Tho Hicks Magistrates
appointed by Act of Assembly
for deciding Differences be-
tween the English & Indians

} Your affectionate Friend
Fra Nicholson

The Nanticoke Indians present his Excellency with a Piece
of Wampum of which he took a small piece & returned them p. 82

- Lib. X. back the rest bidding them give it to their Wives & told them that he looked upon their Kindness every whit as well as well as if he had taken their whole Pres'

Iuly the 12th 1698

The Council again Sate present as Yesterday

His Excellency being told that M^r Sly had something to communicate to him the said M^r Sly is called in

M^r Sly says his Excellency is bound in honour to discharge him for that he has a warrant for what he has done & produced the following Copy of a Record from S^t Marys Court under the Seal of that Court & signed by the Clerk which is as follows

S^t Marys County Ianuary the 5th 1696

Order of Governor and Council Dismissing M^r Philip Clark from practising as an Attorney in the Provincial & County Courts

Several Minutes taken by M^r Henry Denton Clk of his Majestys honble Council being the Sum of what his Excellency was pleased to declare to the Provincial Court in relation to M^r Philip Clark being Read in open Court wherein his Excellency declared that if any person had a desire to go for England & Complain against him if so be the Law would permit them to go out of the Province he would permit them and give them fifty Pounds Sterling in order to defray their Charges

- p. 83 M^r Philip Clark moved the Court that the Clerk might enter his Acceptance of his Excellency the Gov^rs Offer therein & it is Ordered by the Court that the Clerk record the Same viz^t

M^r Philip Clark declares that he will go for England & there complain to his Majesty of his Excellency Francis Nicholson Esq^r Captain General & Governor in chief of this his Majestys Province &c^a for that he is debarred from Practising as an Attorney and thereby hindered from getting his Bread

William Aisquith Clk

Whereupon the said M^r Sly is told that he is not now Called to answer for those Articles preferred against his Excellency in England before their Lordships the right Honble the Lords of the Council of Trade & foreign Plantations but to what should be now objected against him on his Maj^{ty}s Behalf for such misdemeanors as he had lately committed Since his last arrival within this Province & that therefore his offering the said Declaration had no relation & was altogether Impertinent thereto

Then the said Sly was ordered to withdraw

Lib. X.

The honble Coll^o Addison acquainted his Excellency that M^r Greenfield high Sheriff of Prince Georges County presses Men & Horses to carry his common præcepts & private Business up and down the Countrey & asked his under Sheriff why he did not take him to Guard his prisoners & that the said Greenfield contemns the Sheriffs place & saith he gets nothing by it

Whereupon it is thought fit that the said M^r Greenfield be no Longer Continued in his said office

Read to Coll^o John Addison & Thomas Brooke Esq^r the late proceedings in Council when they were not present who do p. 84 approve thereof

His Excellency is pleased to ask the Gentlemen pres^t if they have any further to Offer for his Majestys Service, who say not.

Ann Iuly the 15th 1698

Lib. H. D.

Coll Hynson

p. 215

S^r

By Order from his Ex^{ty} the Gov^r and Council You will receive from Cap^t Iuniper in Order to make up what th^t County wanted upon the last dividend of the publique Arms which are what att^p'sent Came in Viz^t one hand mortar 20 Granado shells and Twenty fusies And out of the Dividend of the Arms now come in you will receive 9 fusees 9 Slung fusees 3 worms 1 long pe of Bullett moulds 9 Cartouch boxes & 9 neats leather belts to them 5 bright hatchetts and 3 black ones 4 hand bills one boudge barrell 11 granado shells 11 fusees for them one Lanthorne one prospective glass one powder Tryer one horse picker & a Compass with a fusee made up for a Sample to you to have the rest made up by. Wherefore You are to Imploy Some Guñer of a Ship or other skillful pson to make them up and draw your noat upon his Ex^{ty} the Gov^r who will see th^m payd therefore. You are directed to give a receipt to Cap^t Iuniper for the said Arms &c. And to send an Other to this place to be lodged S^r I am

Yo^r humble Serv^t

WB: C: C:

1 hand Mortar 2 granado pouches 20 Granado shells Sixty fusees Seaven Cases.

To take for Kent

1 hand Mortar 20 Granado shells, 60 fusees

Mem^{dm} for Coll Hinson to gett Some Cap^t or Gunner of a Ship to make up the fusees as that sent now and Coll Hinson to draw upon his Ex^{ty} who will see him payd.

Mem^{dm} Coll Hinson to have but 20 fusees now.

Lib. H. D.

July the 15th 1698

Then Received for Kent County these following things (Viz^t) 1 hand Mortar, 1 powder Tryer, 1 Lanthorn, 1 prospect glass, 1 Compass, 1 horse picker 31 Granado shells 31 fuzees, 9 slung fuzees Barrells and 9 not slung, 9 Cartouch boxes and belts 5 bright hatchetts and 3 not bright 4 hand bills 3 worms and 1 bullet mould & one bouge barrell I say received by me the day & year afores^d the which are promised God Willing to deliver to Coll Io^a Hinson

Mem^{dm} to take receipt for them p me Daniel of Tho Ienifer

August the Tenth 1698

Then recēd of Richard Beard Shff of Ann Arundell County 9 fusies 9 slung fuzees 3 worms 1 long shott Mould 9 Cartouch boxes 9 belts 8 hatchetts 4 hand bills 1 boudge barrell 11 Granado shells 11 fusies for them in order to be delivered to Coll John Thomas in Baltemore County I say reced p me Samⁿ Phillips lun^r

p. 216

August the 12th 1698

Then Received of Thomas Burton a pcell of Arms those following and Named Arms 9 fusies 9 long fusies 3 worms 1 long Shott Mould 9 Cartouch boxes 9 belts 8 hatchetts 4 hand bills 11 fusies 11 shells 1 boudge barrell, I say received p me Iohn Thomas

Upon the back side of the above receipt Viz^t

Recēd from his Ex^{ty} ffancis Nicholson Esq^r Cap^t Gen^l & Gov^r in Chiefe of his Matys Province of Maryland the Sum^e of foure shills and six pence sterl. Wittness my hand this 18th day of August 1698

being upon the acc^{ts} of the within receipt.

his
Thomas B Burton
Mark

August the 13th 1698

Then delivered to Cap^t Dean Cock in Order to be delivered to Coll Pearce Viz^t 9 fusees 9 slung ditto 3 worms 1 long Mould 9 Cartouch boxes 9 neats leather belts 5 bright hatchetts 3 black ditto 4 hand bills 1 boudge barrell 9 granado shells 11 fuzees for them.

August the 13th 1698

Lib. H. D.

Received of Cap^t Dean Cock the particulars above mentioned by me W^m Pearce

August the 9th 1698

Then received of Rich^d Beard Sherriff of Ann Arundell County 9 fusies 9 Slung fusies 3 worms one long Shott mould 9 Cartouch boxes 9 neats leather belts 5 bright hatchetts 3 black hatchetts 4 hand bills one boudge barrell 11 Granado Shells 11 fusies for them we say recēd p us in order to be delivered to Col^t Edward LLoyd of Talbot County

Josip M Sadeler
Lewis Meredith

August the 25th 1698

Then Received of M^r Richard Beard high Sherriffe of Ann Arundell County these following Arms belonging to the Province of Maryland Viz^t 9 fusees 9 Slung fusees, 3 worms, 1 long bullet mould 9 Cartouch boxes 9 neates leather Belts for ditto 5 bright hammer hatchetts 3 black hammer hatchetts 4 hand Bills one bouge barrell 11 granado shells 11 fuzies for them all which Arms I do hereby oblige my Selfe to deliver to Col^t John Coates of Charles County As Wittness my hand the day and Year afores^d

Testis

E Batson

Io^a Cunny.

At a Council held at the Port of Annapolis the 21st day of Lib. X.
Iuly in the Tenth year of the reign of our Sovereign Lord p. 84
King William the third Annoq Dom 1698

Present

His Excellency the Governor

the honble { Coll^o Henry Iowles Chancellor }
 { Thomas Tench Esq^r }

Capt^a Richard Hill & Thomas Tasker Esq^r being called came Major William Barton & M^r Iohn Wight of Putuxent Appearing his Excellency acquaints them that he has been informed that they had lately been at the house of Major Walter Smith of Calvert County when the late King Iames health was there drunk

Lib. X. The said Gentlemen do say they were there at that time when the said health was drunk by Several there but that themselves refused to drink it

It was also further Offered that his Excellency had been made acquainted of such their refusal & how they had expressed their dislike of drinking that health by telling those persons that did so that they were a parcell of Rogues & deserting their Company

p. 85 Read a Letter to his Excellency from the right honble the Lords of the Council of trade & Foreign Plantations Bearing Date the 21st of March 1697/8 together with a Copy of an Act of Assembly of Iamaica for restraining & punishing Privateers &c^a which Act being likewise read his Excellency is pleased to take Notice that upon his Grace the Duke of Shrewsburys Letter to him in relation thereto, he did issue his Proclamation for the Apprehending all such Pyrates & Sea Rovers & further to Strengthen the same did the last Council issue an order from this Board to the several Sheriffs of this Province straightly to pursue the directions of the said Proclamation & when it pleases God that the Assembly meets, this Letter and act shall be laid before them

Advised that a Letter be writ to Cap^t Peter Paggen acquainting him that his Excellency has received his, & Communicated it to the Council & that Observing thereby that his Business was So pressing upon him that he was Obligated to commit the Affairs of his Province to wit purchasing Arms &c^a to M^r Isaac we are very glad he made Choice of a person so worthy & discreet that Bills are now sent him for 249^l. 15^s. 2^d & a Crown in money of w^{ch} a List is to be inclosed in the Letter to him to acquaint him that the Bills sent are those which are Conceived most proper for his receipt & had Captain Whitehorn been Cleared his Bill should have been sent him to desire him to buy us Twelve Rheam of Large Ruled Paper According to the Sample sent him that a pair of Long Bullet moulds be sent him by Captain Whiteborn & that what Arms he now buys with the money remitted by M^r Plater the Barrels of them may be of the same Boar to carry such Ball the

p. 86 Countrey being Supplied with Such Molds, that to every pound of Powder to Send in Five Pounds of bar lead the powder to be sent in small Quarter Barrels containing Twenty five Pounds in each Barril that M^r Paggen will order M^r Milner to send an Acco^t whether M^r Plater remitted money sufficient to purchase the Arms & ammunition according to order of Council & that it will be for his Majestys Service & the Interest of the Country from time to time to send an acco^t of what Bills he receives & that when the time of payment of any Bills are out he Immediately have them protested great Damage often happening for want of such protest

That a Letter be writ to M^r Isaac Milner to the Same effect Lib. x.
& to tell him that we have desired Captain Paggen to assist him

The said Letters being writ were Signed by his Excellency the Governor & his Majestys honble Council then present

M^r Hunter a Romish Priest and Iesuite being sent for Came before the Board & says that he hath been several times at M^r Gerrard Sly's house in S^t Marys County where he heard him to make reflections upon his Excellency the Governors Proclamations

M^r Hunter is required to draw up his Deposition in writing

Memd that a Copy of his Excellencys Proclamation Restraining Popish Priests from going to sick peoples houses unsent for was delivered to the said M^r Hunter who gave a receipt therefore

The said M^r Hunter is Required to Shew the other Priests his Order of the Said Proclamation he being the Chief of p. 87 them in this Province

Ordered that the Sheriff of each County shew the said Proclamation to the Ministers of the several Parishes within their County & give them Copies thereof & where there is no minister to the chief Vestryman

M^r Iohn Broadhurst of Calvert County appearing at the Board is asked if he was not in Company with M^r Thomas Iohnson & Captain Richard Smith when Iohnson said that all the people were Rogues to the Gov^t M^r Broadhurst says he was in M^r Iohnsons Comp^a & Cap^t Smiths Comp^a

The said M^r Broadhurst is ordered to draw up his Deposition in writing

M^r Notley Rozier of Charles County appearing his Excellency tells him he has been informed that he has been very often in M^r Sly's Company therefore requires him to give his Deposition what he hath heard the said Sly M^r Cood or others their Associates say in relation to this his Majestys Gov^t or himself the Governor thereof

The said M^r Rozier saith that he hath been often in M^r Sly's Company and will give his Deposition of what he heard

Produced & read a Letter from Lieu^t Col^l^e Low with a warrant to take M^r Robert Mason upon which he made Return that he had taken the said Mason who Languished & said that he was not in any Condition to be brought up to this Port of Annapolis without Endangering his Life

Wherefore inasmuch as the said M^r Rob^t Mason is now p. 88 under arrest of the said Sheriff hath so far prevailed with him to returne him Languishing in prison Pretending such his disability of Body to be brought up hither but forasmuch as he hath often Counterfeited & dealt hypocritically upon this

Lib. X. Occasion to evade the several præcepts to the said Sheriff directed

Ordered therefore that the Sheriff of S^t Marys County summons all the Doctors & Physicians in that & the adjacent County who are hereby required to go to the house of the said Mason & to inquire into his present Condition & thereupon their oaths to be administred upon them by Kenelem Cheseldyn Esq^r Chief Iustice of S^t Marys County they are to make a Report whether the said Mason may not ride up to this Place without the apparent hazard of his Life or whether he may not without such Danger be removed to the Sheriffs house there to remain in Custody until the next Provincial Court according to which report the said Sheriff is to Conform himself

As to the Scurrilous Reflections upon his Excellency the Governor the handling of Arms Swords Spits &c^a and the threats mentioned in Coll^o Lows Letters ordered that the said Coll^o Low apprehend & secure all such persons whom he is to have before this Board at the next Provincial Court

Advised that the said Colonel Low be writ to that he take Care upon any Comotion to raise the posse of his County and send fresh Messengers one after another to his Excellency the Governor who will himself God willing [use] force to quell them

p. 89 Thomas Tasker Esq^r Presents the Address of several Masters of Ships now riding in the freshes of Putuxent River to his Excellency whereupon ordered that a proclamation issue pursuant to that address and the said proclamation being prepared is as followeth

By his Exc^{llcy} the Cap^t Gen^l
A Proclamation

Whereas Application hath been made to me by severall Captains and Commanders of Ships and Vessels now trading in & frequenting this Province who do severally Complain of the great Damage & loss they daily Sustain by their Mariners & Seamen deserting their said ships & Vessels which does likewise much Redound to the prejudice of his Majestys Interest in the great delay it gives to the Trade of this Province several Vessels being often Impeded & stopped & by deserting rendred uncapable to proceed upon their respective Voyages

Therefore to remedy the aforesaid great & growing evil as in me lyeth do at the request of the said several Capt^{ms} & Commanders of Vessels whose Names are hereunder written & by & with the advice & Consent of his Majestys honble Council within this Province hereby publish & give Notice to

the Several Inhabitants thereof that they do not give Entertainment to any such deserting Saylor but that they use their utmost endeavour to discover and have them apprehended & secured in order to be Conveyed to the Several & respective Ships and Vessels to which they belong

And for the better Encouraging of all Persons whatsoever to endeavour the discovering & securing such deserting Saylor as aforesaid I do at the desire of the aforesaid Captains & Commanders hereby assure such persons of the reward of Fifty Shillings Sterl for each Deserted Saylor So by him or them apprehended & Secured as aforesaid which said Sum the aforesaid Commanders are willing upon receiving such Saylor or Saylor to pay and allow to the party or Partys who Secured them

And forasmuch as the said several Captains & Commanders have in their address to me lately represented that such their deserting Saylor do generally resort to the Province of Pennsylvania where they are much encouraged & winked at not only by being preferred to be Masters of Small Crafts there & receiving great & excessive wages therefore, but also by reason of the Privateers resorting thither and the Imense hopes and expectation they entertain of the great gain by that sort of Employ^m

And for the easier & more Effectual discovery of all such deserting Saylor & to the end such persons may be Secluded from any pretended Excuses Shams & Impositions on any the Good People of this Province I do hereby publish & give Notice to the several Masters & Commanders of all Ships Vessels and small Crafts trading & using within this Province that whensoever they do discharge any of their Saylor, that they give them a Certificate under their respective hands & seals of such discharge that they also take care that when they send their Sloops abroad to fetch Tobacco or send any their Saylor from their Several Ships upon any special occasion that they likewise take care to give their Saylor the like Certificates under their hands & seals of there being so sent & Employed upon penalty to such Saylor leaving their Ships and Vessels & not having procured such Certificate of being taken as deserting & runaway Saylor & so used and handled & to the end that all Saylor so legally discharged from any Ship or Vessel within this Province may freely pass & go to & fro upon their Lawful Occasions & travelling to any of the Neighbouring Colonys &c^t as they shall have occasion or think fit without any Let trouble or hinderance I do hereby publish and Give Notice that upon their Application to me and producing such Certificate of their discharge as aforesaid I will give them a pass which they shall receive Gratis

Lib. X. And I do hereby publish & give notice to all persons whatsoever that they do not presume to harbour & Entertain any Sailors whatsoever unless those producing Such Certificate & Pass as aforesaid Given at the Town & Port of Annapolis under the great Seal of this Prov^t the 22^d day of Iuly in the Tenth year of the Reign of our Sovereign Lord William the third by the Grace of God of England Scotland France & Ireland King Defender of the faith &c Anno Dom 1698
God save the King Fra Nicholson

Commdrs	{	W ^m Cooper	{	In ^o Cotterell
		Nicholas Smith		Peter Reeves
		Nicholas Humphreys		Iohn Tanner
		Nathaniel Davis		Thomas Emms
		Ioseph Collman		Richard Langley
		Samuel Philips		Iohn Lowther
		Giles Wigginer		Andrew Senhouse
		Nicholas Lydson		Daniel Watts
		Iohn Brown		

p. 92 The said Proclamation being approved of was Ordered to pass the broad Seal

Iohn Young appearing at the Board says that being Com-
manded by Lieu^t Col^o Low to apprehend & secure M^r Robert
Mason the said Masons wife took a drawn Sword in her hand
& swore she would be the death of them that touched her
husband & said there would be an overturn before Christmas
day

That being at the house of M^r Philip Clark Hannah the
wife of the said Clark wished she had the Gov^rs hearts Blood
cold in her hand & that she got a Spit for Col^o Low & hoped
to see an overturn before Christmas day

Complains that having his Excellencys warrant to Impress
an horse when he was last sent to S^t Marys County upon
Express for his Majestys Service he endeavoured to press one
belonging to Iohn Wilson Sen^r but that Elizabeth his wife
came out with a Case Knife & swore she would cut his hand
off if he did not loose the horse & shewing his Exc^lys said
warrant she said the Governor kiss her Arse

Whereupon ordered that the Sheriff of Ann Arundel County
take the said Elizabeth Wilson into his Custody & have her
without Delay before his Excellency the Gov^r to Answer such
her Contempt

Iohn Young Complains to the Board that having his Excel-
lencys warrant to Impress horses Boats and hands for his more
ready dispatch upon the Express on which he was sent he did
desire one Ambrose Bradford Master of a Small Rum Vessel
of Captain Bowles to give him a Passage over Putuxent River

which the said Bradford Refusing he told him he did Impress Lib. X.
him in his Majestys name nevertheless the said Bradford P. 93
would not let him a passage, that afterwards he went on Board
the Owners Adventure whereof is Commander Captain
Francis Harbin that he applyed himself to James Brock Mate
of the said Ship who told him if he had Twenty Spare hands
he would not let him have a Passage and that he deserved to
be thrashed (altho the said Young shewed his Excellency the
Governors warrant) and Captain Harbin told him that he did
not know any Authority the Gov^r had to command men from
on Board Ships and that he did not know whether the King
could do so much

Ordered that John Young draw up his Deposition in writ-
ing and that an order issue to the Sheriff of Calvert County to
apprehend the said Francis Harbin Ambrose Bradford &
James Brock whom if found he is to bring before his Exc^{ly}
the Governor at the Port of Annapolis with all Convenient
speed

In regard that several prisoners & ill affected persons will
be brought to Town to the next Provincial Court Ordered that
the Sheriff of Ann Arundell County provide a good Sufficient
guard to secure them

[C. Vernon's Petition]

Lib. H. D.

To his Ex^{ty} Coll Francis Nicholson Esq^r Cap^t gen^l and P. 217
Govern^r of his Matys Province of Maryland.

The Petition of Chr: Vernon

Most humbly sheweth to Yo^r Ex^{ty} That your Petioners
Affarres requires his Attendance Constantly att home and
yo^r Petitioner is in great hopes of your Ex^{ty}s ffavour so far as
that you would be pleased to Admit a Clark in your Petioners
Stead And your petitioner dos humbly presume to acquaint
Your Ex^{ty} that one M^r John Thompson (who hath been a
Buretter in this County 17 Years and allways Counted an
honest & Sencible pson in any business) will with Yo^r Ex^{ty}s
leave Act as Clerk of this County and reside allways in Town
untill Such time as Yo^r Ex^{ty} shall be pleased to displace him
upon any Acc^t w^tsoever.

Your Petitioner therefore doth humbly desire Your Ex^{ty}
would be pleased to Admitt s^d Thompson (or whom Your
Ex^{ty} shall think fitt) Ck of Ann Arundell County in the Stead
of Your Petitioner, And Your Petitioner (as in Duty bound)
shall ever pray &c.

Lib. H. D.

Annapolis Iuly the 21st 1668

Then Rec^d of W Bladen Clark of his Matys hon^{ble} Council Copy of his Ex^{cs} Proclamation Dated the 29th of March 1698 Restreining Priests of the Romish Church from going to p^{er}sons houses when Sick &c unsent for p^{er} me

W^m Hunter.

Lib. X.

July 22 1698

Council Sate, Present or yesterday.

Major Iohn Hammond being sent for Came

M^r Richard Smith of Calvert County appearing is told of his having been in Company with M^r Thomas Johnson in his the said Smiths house when the said Johnson spoke these
p. 94 words viz^t that all the people were Rogues to the Government & that he would never take an oath to any but King James & that he Countenanced him by Laughing & Grinning thereat

Is told that it is expected from him to give Security in two thousand pounds Sterl for his appearance at the next Provincial Court to answer to what should be Objected against him on his Majestys Behalf & in the mean time to be of good behaviour is ordered to withdraw

M^r Benjamin Hall of Charles County appearing his Excellency is pleased to tell him that he had an acc^t of his being in Company at Major Walter Smiths when Captain Bowls Major Barton & other Company were there M^r Hall says he was there when Major Barton Captain Iuniper Captain Bowls and M^r White were there

And it being Represented that the said M^r Benjamin Hall drank King James Health at that time he is told that Security is required of him in one thousand pounds Sterl to appear at the next provincial Court there to answer to what should be objected against him on his Majestys Behalf in the mean time to be of good Behaviour

And the said M^r Benjamin Hall offering his Brother M^r Elisha Hall to be his Security the said M^r Elisha Hall is not thought fit to be accepted of he being already bound for M^r Sly in more than he is worth

And whereas the said M^r Benjamin Hall hath So ill behaved himself and shewn his disloyalty to his present Majesty our Sovereign Lord King William the third by promoting K^s Iames Interest & drinking his health

p. 95 Ordered therefore that a new Commission issue to Appoint the following persons Commissioners of the peace in Charles County & that M^r Hall be left out of that Commission and Captⁿ Iohn Bayne be added but that the said Captain Bayne be not sworn until he is out of his Sheriffalty

Commissioners Appointed

Lib. X.

Captain William Barton	M ^r Philip Briscoe
Captain Iohn Bayne	M ^r Rich ^d Harrison
M ^r Henry Hawkins	M ^r Henry Hardy
Maj ^r Iames Smallwood	M ^r Tho Taney
M ^r Ioshua Manning	M ^r Iohn Wildoe
M ^r Robert Yates	

His Excellency demanding of the Gentlemen who were Ordered to see the Laws Transcribed according to their Lordships Order what they had done in Order thereto

The said Gentlemen make Answer that for the following reasons that they had met with great difficulty and have not been able to effect any thing therein

First that there are so few Clerks that they been much to seek where to find persons fitting to transcribe the said Laws

Secondly that all Persons Employed as Clerks to write any publick Business have been so much discouraged & so slenderly rewarded by the late Assemblys that no such Persons were to be had who would write upon the Credit of being paid by the Assembly.

And thirdly they know not how to have such Clerks accommodated when in Town

Whereupon the said Gentlemen are ordered to agree with the Clarks that undertake the writing the Laws and to Assure them that in Case the next Assembly do not fully satisfy them according to such Agreement they shall be paid out of the qu^r part of the Revenue given for purchasing Arms &c^a

And it is further ordered that any of the Ordinary keepers do entertain & accommodate the said Clerks for which the said Ordinary keepers are to be Assured of the like pay

Major Walter Smith of Calvert County is told by his Excellency that he formerly gave him a paper of M^r Crawfords to have a return made thereto by the Iustices of Calvert County the said M^r Smith says he once delivered the said Petition to M^r Henry Denton late Clerk of the Council which not being fully answered he the said Major Smith says he gave it to Coll^o Bigger And that he will take care to return the same

But his Excellency told him that this was not what he was now sent for & asked him if he kept an house for people to drink King Iames health in & that he the said Smith & the Halls had thereby sufficiently Shown what they were, neither would there being Burgesses protect them from punishment when deserved the said Major Smith is told that Security is required of him in two thousand pounds Sterling for his appearance at the next Provincial Court to answer what shall

Lib. X. be Objected against him on his Majestys Behalf and in the mean time to be of good Behaviour

p. 97 Ordered that the ministers Sheriffs & Constables of S^t Marys & Charles Countys make diligent enquiry how many People have within this twelve months been brought over to the Romish perswasion & by what means

Whereas this Board have perused an Affidavit of M^r William Taylard of S^t Marys County wherein he set forth that not long since M^r Iohn Cood Sen^r being at the house of M^r Gerard Sly in S^t Marys County he did hear him say that his Excellency the Governor had Caused M^r Henry Denton late Clerk of the Council decd to be put out of the way because he was a material Evidence against him

Ordered that D^r Robert Iones who attended the s^d M^r Denton during his Sickness be sent for to declare upon oath what he supposes was the cause of the said M^r Dentons death

Came the honble Cof^r Iohn Courts & took his place at the Board

Then read the following proclamations which was approved of & ordered to pass the Broad Seal

By his Excellency the Cap^t Gen^l

A Proclamation

p. 98 Whereas I am Credibly informed that Divers ill Affected & disloyal persons to this his Majestys happy Gov^t & the peace & Tranquillity thereof but bigotted to the Interest of the late King Iames & endeavouring to Seduce & abuse others his Majestys good & Loving Subjects with the same disloyal & ill Principles do frequently in their meetings Societys and Entertainments sometimes in a Riotous & always in a disaffected & disloyal manner publish & promote the Interest and drink the health of the late King Iames by the name of King Iames's Health to the disquiet & discouragement of his Majestys good and Loyal Subjects & to the disturbance of the peace and quiet of this his Majestys happy Government

For prevention of which disloyal & evil practices for the future I do hereby with the Advice & consent of his Majestys honble Council within this Province Proclaim and command that no person whatsoever presume or attempt any such practices or health drink^s for the future under the severest displeasure & being prosecuted to the utmost severity of the Law & as ill Affected persons & Perturbers of the peace and quiet of this Gov^t & to the end that all such ill affected and wicked Persons may be discovered & proceeded against I Command & require all & every his Majestys good & Loving Subjects whenever they know of any such Practices or attempts

to publish discover & make known the same to the next Magistrate that so the Offenders may be proceeded against according to Law & to the end that all persons may have due Notice hereof I do hereby Command the several Sheriffs of the several Countys within this Province duly to publish & proclaim this my Proclamation in all Churches Chappels & all other publick places of Meeting within their Respective Countys Given at the Town & Port of Annapolis under the Broad Seal of this Province this 23^d day of Iuly in the Tenth Year of the Reign of our Sovereign Lord W^m the third by the Grace of God of England Scotland France & Ireland King Defender of the Faith &c^a Annoq Dni 1698

Fra Nicholson

God save the King

By his Excellency the Cap^t Gen^l &c

A Proclamation

It having manifestly appeared unto me in Council by several Depositions & other credible Testimonies that Philip Clark Robert Mason Gerrard Sly & Iohn Cood Sen^r with others not yet discovered have lately had frequent Consultations & Meetings Rebelliously Endeavouring to Disturb & disquiet this his Majestys Government & to Seduce and withdraw the minds & affections of his Majestys good Subjects from their obedience due to this Gov^t by his Majestys Royal Authority established for which & other wicked & seditious practices the said Iohn Cood is absconded & fled out of this Province & the said Philip Clark is also lately absconded & fled from Iustice and is not to be found the said Gerrard Sly under Bonds for his good Behaviour & to answer the premises & the said Robert Mason Languishing under arrest for the same

Therefore to the end the said disloyal & wicked Persons & all others adhering to them aiding assisting abetting or concealing their designs & practices may be discovered & brought to Condigne Punishment & his Majestys Government thereby preserved in peace and quiet I do with the advice & Consent of his Majestys honble Council within this province in his Majestys Name command & require all his Majestys good & Loving Subjects in this Province to forbear to associate themselves Combine with abett or Conceal the said Persons or their Rebellious wicked designs as aforesaid as they will answer the Contrary at their utmost peril & to be taken to be parties in the Same

And I do by this my Proclamation Command and require the said Philip Clark & Iohn Cood immediately to render

Lib. X. themselves to some Magistrate in this Prov^e in order to their being brought to Trial according to Law & in case they shall not Surrender themselves within twenty one days from the date of this Proclamation but stand & remain in Contempt of the Laws & authority of this Prov^e I do in his Majestys name command all and singular his Majestys Officers & Ministers civil & military & other his Majestys good Subjects to discover & apprehend the said Philip Clark & Iohn Cood wheresoever found in this his Majestys Province & to carry him or them before some Iustice of peace or chief Magistrate who is hereby enjoined to commit him or them to the custody of the Sheriff of the County where taken, who is immediately to send an acco^t thereof to me his Majestys Governor of this Province and to the end the said persons & their wicked seditious & rebellious practices & designs may be further discovered, & laid Open, all persons whatsoever which are or have been known or privy to such their wicked & Disloyal designs & practices are hereby in his Majestys name Commended & required further to make a full discovery under their hands before some Iustice of his Majestys Provincial Court who is hereby directed to take their Depositions therein upon pain to all such persons so knowing or privy thereto & not mak^e full
p. 101 discovery thereof of being so taken as parties therein & when found out hereafter to be prosecuted against according to Law

And I do hereby further declare & publish that as I am heartily sorry there has been so much just & Lawful Occasion given for summoning of so many persons hither to give their depositions for discovery of the wicked & evil Practices & attempts aforesaid so would have all Persons to take caution hereby to avoid giving the like Occasion for the future by associating themselves or Combining with them under this assurance that it is neither their Number quality or Conditions that shall excuse them from being prosecuted against according to Law

And for the Encouragement of all such his Maj^{ty} Loyal Subjects that shall endeavour the peace quiet and Wellfare of this his Majestys province by apprehending & seizing the said Philip Clark & Iohn Cood Sen^r in case they shall not surrender themselves to Iustice as hereby they are required, such persons shall as a Reward therefore for the apprehending them or either of them receive as a Reward the Sum of twenty pounds Sterling for each of them

Lastly I do hereby command the several Sheriffs of this province to proclaim & publish this my proclamation in all Churches Chapels Court houses & other publick places of resort within their several Counties

Given at the Town & Port of Annapolis under the Broad Lib. x.
Seal of this province this 23^d day of Iuly in the Tenth year of
the Reign of our Sovereign Lord William the third by the
Grace of God of England Scotland France and Ireland King p. 102
defender of the Faith &c Annoq Dni 1698

Fra Nicholson

God save the King

The right honble the Lords of the Council for Trade &
Foreign Plantations being pleased to direct as followeth Viz'
that all writings whatsoever have fair margents Capable to
receive the Notes which there may be occasion to make upon
them that in the Iournals & other publick Transactions the
heads of each matter be minuted & set down in the margent
by the Officers who transcribe them & that all papers whatso-
ever even petitions addresses or any thing of the like nature
be constantly dated

Ordered that the Clerk of this board & of the house of
Delegates do diligently observe & conform themselves to
such their Lordships directions

Then came M^r Richard Beard high Sheriff of Ann Arundell
County & acquainted the Board that by Vitue of his Excel-
lencys proclamation for supressing Pyrates he had taken into
his Custody M^r Iohn Blackmore & M^r William Cotter of the
af^d County and the said M^r John Blackmore & M^r William
Cotter being Called in & examined before his Excellency in
Council they say they went out of Jamaica under the Com-
mand of one George Rainer in a private man of war Commis-
sionated by the Lord Inchequin then Governor of Jamaica,
went from thence to the red Sea & returned to Carolina
having been out near two Years from Carolina they went to
Pennsylvania & from thence they Came hither to Maryland in
the Year 1692 in the time that Colonel Copley was Governor
of this Province

The honble Thomas Tench Esq^r Major In^o Hammond & p. 103
Captain Richard Hill being Inhabitants of Ann Arundel
County do say they are well acquainted with the said persons
who have very well & honestly behaved themselves ever since
they resided in this province that they are both settled in this
County & have plantations & Servants & endeavour to make
great Crops of tobacco and that one of them viz' William
Cotter is married & has two Children

Whereupon it is advised that the said Iohn Blackmore &
William Cotter do recognize to his Majesty with Sufficient
Security that they be forth coming whenever his Majestys
pleasure is signified concerning them

Accordingly Major Hammond & Cap^t Hill two of his

Lib. X. Majestys Iustices of the provincial Court make Report that they have taken the following Recognizance viz'

Port of Annapolis Iuly the 22^d 1698

Maryland Ss

Be it remembred that the day & Year above mentioned Came before us Iohn Hammond, Rich^d Hill & Thomas Tasker Gent Iustices of his Majestys Prov^l Court Iohn Blackmore & William Cotter together with Gabriel Parrot of Ann Arundel County Gent & the said John Blackmore William Cotter & Gabriel Parrott their Security Acknowledged themselves each & every of them to Stand & be indebted unto our Sovereign Lord William the third King of England Scotland france & Ireland in the sum of five hundred pounds Sterl a peice that they the said Iohn Blackmore & William Cotter shall personally appear & be forth Coming when ever his Majestys pleasure is known concern^t them, in the mean time to be of good Behaviour as to any Acts of Pyracy in default whereof
p. 104 they are Contented the Said Separate Sums of Money Sterl shall be Leavied upon their & every of their Bodies goods Chattels Lands Tenements & hereditaments

Iohn Blackmore
William Cotter

Capt & Cognit Coram
Nobis Die et Anno
Supradicto

Iohn Hammond
Thomas Tasker

Lib. H. D. Maryland Porte of Annapolis Iuly the 22^d 1698

p. 203 Recēd Then from his Ex^{ty} Francis Nicholson Esq^r Chiefe Govern^r &c. and his Matys honble Councill of Maryland a Lre or pacquett of Lres and other papers directed for the honrd Cap^t Peter Paggen Merch^t in London wherein are inclosed first Bills of Exch: Drawn by Cap^t John Clark

Commander of the ship Io ⁿ & Margaret for	49	10	00
By Cap ^t Sam ^l Pacey Com ^{dr} of the Ship Colchester Adventure for	29	15	06
By Cap ^t Edw ^d Burford Com ^{dr} of the ship Iames for	62	02	06
By Cap ^t Thomas Lurting Com ^{dr} of the ship Iosiah	50	17	00
By Cap ^t Humphrey Pellew Com ^{dr} of the Ship Braggett for	26	17	00

	l	s	d	Lib. H. D.
M ^r Rob ^t Mason on M ^r Isaack Millner w th Lres				
of Advice	30	13	02	
One Crown piece in Silver	00	05	00	
	<u>£250</u>	<u>00</u>	<u>02</u>	

One paire of Iron Bullett Moulds
 One Lre directed to M^r Isaack Millner Merch^t
 which I promise God willing to deliver to
 the s^d Cap^t Paggan upon my Arrival att London
 in the Kingdom of England.

Barth^o Whitehorne

Maryland ss

S^t Mary's County p. 204

Know all men by these p^rsents that we Gerard Sly of S^t Mary's County Gentlemen Ioshuah Guibert & Thomas Hatton of the same County Gentlemen are held and firmly bound unto our Sovereigne Lord King William the Third &c. Gerrard Sly in the full sum^e of one Thousand pounds Sterling money of England & Ioshuah Guibert and Thomas Hutton in the full sume of five hundred pounds Sterling Money of England each To be payd to his Maty his heires and Successors To the paym^t well and truely to be made we binde ourselves and every of us our and every of our heires Ex^{tn} and Admⁿ in the whole and for the whole Ioyntly & Severally firmly by there p^rsents sealed with our seales Dated the 13th day of May 1698.

The Condition of the above Obligation is such that if the above bounded Gerrard Slye shall in his proper person appear att the Porte of Annapolis in Ann Arundell County before the Iustices of the Provinciaall Court to be holden the last Tuesday in August 1698 Then and There to Answer to such matters as will be Objected ag^t him on his Matys behalfe, And stand and abide by the full Determination of the said Court as the Law directs and to be of good behaviour in the mean time to the Governm^t and all the Liedge people of this Province. Then the above Obligation to be Voyd, otherwise to stand & remaine and be in full force power and Virtue

Signed sealed and delivered

In p^rsence of

Richard Clouds

Io^a Shanks

Gerrard Slye

Ios: Guibert

Thomas Hatton

[loco
Sigilli
[loco
Sigilli
[loco
Sigilli]]]

The Reporte of Rob^t Jones Chirurgeon Concerning the Distemper th^t M^r Henry Denton late Clark of his Matys hon^{ble} Councill here died of is as followeth.

Lib. H. D. I was sent for to M^r Denton who had been sick 9 days before I was sent for to him and he kept his bed 3 days of the same before I came to him, when I came to him I found him Extreme ill of a Malignant feavor and he had a very low pulse and his Urine as in time of health which I have always Observed to be a true Symtum of a Malignant fevor I can and do truly say that I did give him the best remedy's that I possibly Could to the uttermost of my knowledge & skill to remove the Malignaty of his distemper but all my Care skill and Endeavour did prove ineffectuall for the violence of his distemper did gain upon him more and more every day Notwithstanding all my Care and Industry in looking after him till his days was ended by this Malignant feavor, which I Solemnly declare was his Distemper according to the best of my knowledge to which I am ready to make Oath according to the Truth the whole Truth and nothing but the Truth Wittness my hand.

Robert Jones. 23^o die July An^o. 1698 } John Hammond.
Jur Coram Nobis } Rich^d Hill

Lib. X.
p. 104

Friday Iuly the 23^d 1698

The Council Sate present as Yesterday

M^r William Harrys of Cæcil County appearing & being told of some words he had said reflecting upon Iames Frisby Esq^r one of his Majestys honble Council within this Province the said M^r Harrys alledged that he was Informed by one M^r Charles Bass that Esq^r Frisby reported that his Excellency Coll^o Copley late Gov^r of this Province Came in Governor by the means of the Lord Baltemore & that his Excellency Coll^o Nicholson his Maj^{ty}s present Governor meaning had a Commission from the Lord Baltimore or words to that Effect

Ordered that M^r Harrys give Security to prosecute his accusation

And the said M^r Harrys nominating several persons & praying they might be Summoned before his Excellency the Governor & Council to prove the same

Ordered that the Sheriff of Cæcil County Do summons Mathias Vanderhayden Charles Bass Tho Church Ann his wife & Iohn Willis that all Excuses sett a part they be & appear before his Excellency the Gov^r in Council the day after the next Provincial Court to give their Testimony therin

p. 105 Read a certain Clause of an Act of Assembly lately made in the province of Pensylvania entituled an Act of Assembly for preventing frauds & regulating abuses in the Trade of that Province in whit it is Enacted that when any Bill plaint or

Information shall be Exhibited or Comenced against any per- Lib. X.
son in any Court to be held within that Province or Territory
for or upon Breach or non performance of any of the Acts of
Trade and navigation in any case whatsoever the mean or
manner of tryal shall be according to the course of Common
Law & known Practice of the Courts of Records within that
Gov^r by twelve Lawful men of the Neighbourhood to be Sum-
moned and returned by the Sheriff of the County where the
Offence is committed

The aforesaid Clause being referred to Geo Plater Esq^r his
Majestys Attorney Gen^l & Maj^r William Dent his Majestys
Sollicitor General they make Report that they take that clause
to be too general illegal & Contrary to the Laws of England
for that there were some breaches & offences in Trade that
are Cognizable in the Court of Admiralty as all things done on
the Sea are regularly & properly Cognizable there, but that
that clause by them General terms seems to restrain that Iuris-
diction and settle all those matters Tryable in the Courts of
Common Law by 12 Men of a Jury

Therefore they conceive that Clause totally unnecessary &
illegal & that the several Offences against Trade should be
tryed according to the Statute Laws & Customs of Eng^l &
the Directions of them Laws either by the common Law or p. 106
Court of Admiralty according to the nature of the offence &
so they take the clause to be that says when any one Iuror or
Iudge in the Tryal scruples to take an oath their declaration
or attestation shall be Sufficient it is contrary to the common
& Statute Laws of England & therefore illegal & void

His Excellency likewise is pleased to ask the opinion of the
Board & the Gentlemen here present who do severally say
that they do approve of & concur with the opinion of his
Majestys Lawyers.

And that if that practice should be continued & allowed of
there, it will much prejudice his Majesty Service in giving so
much liberty there, & will be the occasion to have all false &
illegal Traders resort thither & if that Law should stand in
force the Traders in that Province will have that Liberty which
we here & other his Majestys Plantations &c^a are precluded
of & occasion Decay in Trade here

August the 7th 1698

Council Sate

Present

His Excellency the Gov^r

the honble { Coll^o Henry Iowles Chancellor }
 { Major Iohn Hammond }
 { Captain Richard Hill }

Lib. X. M^r Christopher Gregory appearing says that on Friday last he was at the house of M^r Robert Mason in S^t Marys County
 p. 107 where he saw the said M^r Mason who seemed to be very hearty looked well & walked about the house & Yard

The said M^r Gregory relates that being at S^t Marys County Court last Thursday M^r Philip Clark of that County came to the Court & being asked if he would Surrender himself according to his Excellencys Proclamation refused so to do, whereupon that Court made an order to the Sheriff who took him into his Custody

Ordered thereupon that a Letter be writ to Lieu^t Col^o Low to give him an Acco^t of what M^r Gregory reports & to require him to bring the said M^r Mason & M^r Clark before his Excellency the Gov^r with all Convenient speed in order to be Examined according to a former order of Council

Ordered that M^r George Linghan high Sheriff of Calvert County do send a man & Horses for the publick Arms allotted for S^t Marys County which he is to have Conveyed to Battle Town where upon Notice Lieu^t Col^o Henry Low will send for them to his house in S^t Marys County

Ordered that the said Lieu^t Col^o Henry Low take Care to have the Calvert County men Employed in carryⁿg the said Arms paid out of S^t Marys County Levy

Ordered that Letters be writ to Coll^o John Addison Col^o John Courts & Col^o Henry Mitchel to send men & horses to fetch the Arms allotted for Prince Georges Charles and Calvert Countys

p. 108

At a Council held at the Port of Annapolis
 the tenth day of August 1698

Present

His Excellency the Governor

the honble { Col^o Henry Iowles Chancellor
 Thomas Tench Esq^r
 Major Iohn Hammond
 Captain Richard Hill }

Read Lieu^t Col^o Henry Lows Letter of the 7th Instant to his Excellency wherein he acquaints his Excellency that he had taken M^r Philip Clark into his Custody & that M^r Clark was ready to lye down

Whereupon advised & ordered that the said Lieu^t Col^o Low pursue the last Instructions sent him p Iohn Young that if M^r Clark be in such Condition the Order of Council so far as relating to her be suspended

Read the petition of M^r. Christopher Vernon wherein he Lib. X.
prays to be discharged from his Employment of Clerk of Ann
Arundell County & thereupon ordered that the said M^r Vernon
do continue to Officiate in that Station until November Court
next at which time his Year will be up but that in the mean
time he have Liberty to Officiate by such Sufficient deputy as
the Iustices of Ann Arundel County Court shall approve of

The Deposition of Henry Wriothsley of the Port of An- p. 109
napolis

This Deponent saith that happening in Comp^a with Coll^o
Iohn Cood & some others among their discourse a dispute
Arose between the said Coll^o Cood & M^r Alexd^r Lumley con-
cerning religion being Gentlemen of different Perswasion &
in their discourse or Argument the question was put to M^r
Lumley by the said Cood whether the said M^r Lumley did
believe in Iesus Christ the said M^r Lumley Replied that he
did believe why said Coll^o Cood do you think that God Al-
mighty ever begat a Son upon which M^r Lumley quoted a text
of Scripture written by S^t Paul the place where I cannot re-
member Coll^o Cood upon that Replied S^t Paul may be an
impertinent writer as well as other men all Religion lyes in
Tullys offices & further saith not

Hen Wriothsley

The Deposition of Iohn Freeman

The abovesaid Deponent upon his oath saith that Acci-
dentally meeting with Captain Iohn Cood (als Code) late high
Sheriff of S^t Marys County in Maryland in the house of M^r
Iohn Evans in S^t Marys City in the said County & Province
he the said Deponent heard the said Cap^t In^o Cood als Code
speak & audibly express in publick talk directed to the said
Deponent some months before the said dep^t left his Lodgings
in the said City to attend & accompany the records of the
said Province removed to the Town & Port of Annapolis Anno
Dni 1695

These following words viz^t

That the priests of both the Churches Roman & Protes^t
were Rogues and that it was all one to serve God or the Devil p. 110
for Religion said he is but Pollicy

Whereupon the said Deponent saying to the said Captain
Cood als Code I admire to hear such things from you who as
I am told are in holy orders your self the said Cap^t Cood als
Code thus replied yes I am both Deacon & Priest in the
Church of England

Lib. X.

September the 22^d 1696

The above Deposition was sworn to before his Ex^{clley} & Council by the above named Iohn Freeman

That Alexander Lumley of Ann Arundell County Gentlemen being engaged about his own private Buisness in the city of Annapolis in the said County one M^r Ridgly did Invite the said M^r Lumley to come into one M^{rs} Proctors house to drink with him which the said Lumly did accordingly & then & there met with a person to him the said Lumley then unknown but the said Lumley being accosted by him the said unknown person in an unusual Dialect did inquire of M^r Ridgly what his name was the said Ridgly told him that the said persons name was Cood with the addition of Col^o upon which the said Lumley was more attentive to his the said Coods discourse and in a small time afterwards the said Coll^o Cood told the said Lumley that it was pity he should be a papist tho he thought all Religion to be a sham & that there were never such Persons as Iesus Christ the son of God upon earth whereupon the said Lumley being astonished at the Blasphemy replied that there were great reasons both internal & external to believe the Divinity of our Saviour & Cited a text
p. 111 out of S^t Pauls Epistles & then the said Cood fell into an Argument about the Possibility of God Almighty's Generating a son & when he was pressed about the different ways of Generation according to the School divines he said S^t Paul was an Impertinent fellow & that he did not Believe one word he said all Religion lyes in Tully's Offices

Test Alex Lumley

September the 22^d 1696

Then Came the above named Alex Lumley before his Excellency in Council who made Oath upon the holy Evangelists to the truth of the forementioned premises

The Deposition of Richard Beard of the port of Annapolis aged 40 Years or thereabouts

This Deponent saith that about 3 weeks ago being in Company with M^r Iohn Cood of S^t Marys County at M^r Nicholas Spurns house within the port aforesaid the said Cood after some discourse passed between them asked the Deponent whether he never read in Scripture that Christ turned Several Devils out of several women & another person standing by said yes he turned Seven out of Mary Magdalen whereupon Cood answered with an Oath saying by God it was all Lyes for that the Devil never was in woman & therefore could not turne any out & further saith not

September the 28th 1698

Lib. X.

Then came the above Deponent before his Excellency in Council & made oath upon the holy Evangelists that the above Deposition is true

October the 6th 1696

Richard Kilburn of the port of Annapolis being Examined Before his Excellency in Council upon his Oath says that p. 112
about six weeks ago being in Company with M^r Iohn Cood at M^r Spurns house where he was forced by the said Cood to drink, he heard the said Cood among other Extravagant talk say that a Dog or a Cow or a Swine had Souls as well as men, & being weary of such Company & for his horrible Cursing and swearing he went his way & did not stay a Quarter of an hour in the house but that he left M^r Bouye, M^r Banner M^r Stanley and one Samuel Turner a Taylor in his Company

Iohn Stanley being Sworn Says that he was in Company with M^r Cood at the same time with M^r Kilburn & does remember the said words spoke by M^r Cood which M^r Kilburn hath made oath to & that he had been at several other times in his Company & always heard him talk profusely & after a Bantering sort of a manner

Maryland ss

The Iurors of our Sovereign Lord the King for the Body of this Province upon their Oaths do present Iohn Cood late of S^t Marys County Gent for that he the said Iohn Cood the Five & twentieth day of August in the year of our Lord 1696 & at Diverse days & times before & after at the port of Annapolis in Ann Arundell County the Love fear duty reverence & obedience which every Christian man towards almighty God & his Son Iesus Christ our blessed Lord & Saviour ought to have, not minding or regarding but wholly withdrawing & being moved with the instigation of the devil & of his own vain mind & out of the abundance of his wicked & perverse heart the Catholick faith greatly contemning these Diabollicall & blasphemous words following in the presence & hearing of p. 113
diverse of the liege people of the said Lord the King then & there being with a loud voice most Devlishly & wickedly & to the Terror & astonishment of the said Liege people did promulge speak & utter that is to say the priests of both the Churches were Rogues the priests of the Church of Rome & the priests of the Church of Engl^d meaning & that it was all one to serve God or the Devil & that the Bible (the holy

Lib. x. Bible of old & new Testament meaning) and that all Religion was a sham (the Christian Religion meaning) & that there was never such person as Iesus Christ the son of God upon earth & that S^t Paul the holy Apostle S^t Paul meaning was an Impertinent fellow I (the said Iohn Cood meaning) do not believe one word he said (the holy epistles of S^t Paul & the said S^t Paul meaning) & that all Religion Consisted in Tullys Offices a certain Book written by one Tully (a roman orator meaning) to the great dishonour of Almighty God Contempt & scandal of the Christian Religion & to the pernicious Example of others his Maj^{ty} leige People against his Majestys peace Crown & dignity & Contrary to the tenor of the Act of Assembly in that case made & provided

Plater

Witness

Iur	{	Alex Lumley	}	Henry Wriothesley	}	Iur
		William Bladen		Henry Loftus		
		Iohn Freeman		William Dent		
		Richard Beard				

William the third &c^a to the Sheriff of S^t Marys County Greeting we Command you that you take Iohn Cood late of S^t Marys County Gent if he shall be found in your Bailiwick & him safe keep so that you have this Body before the Iustices of our Provincial Court to be held at our port of Annapolis in Anne Arundel County on the tenth day of this instant october to Answer unto Geo Plater Esq^r his Majestys Attorney Gen^l of the Province of Maryland who for his Majesty in this Behalf prosecuteth of a plea that he render unto the said George who for his Majesty in this behalf prosecuteth his reasonable Acco^t of the time that he was receiver of the money of his Majesty which to render he Ought &c hereof fail not at your peril & have you there this writt witness Robert Smith Esq^r Chief Iustice of our said Court this 5th day of 8^{br} Anno Dni 1696

Damages 500 & odd	}	W ^m Dent Soll ^r	}	
pds Bail to be taken		Gen ^l		Hen Wriothesley
accordingly				Clerk

William the third &c^a to the Sheriff of S^t Marys County Greeting we Command you that you take Iohn Cood late of S^t Marys County Gent if he shall be found in your Bailiwick & him safe keep so that you have his Body before the Iustices of our Provincial Court to be held at our Port of Annapolis in Anne Arundel County the Tenth day of this instant october to answer unto what shall be objected against him on his Maj-

estys Behalf for uttering & speaking blasphemous Expressions Lib. x.
&c^a Contrary to the Act of Assembly of this Province hereof
fail not at your Peril & have you there this writ Witness Rob-
ert Smith Esq^r Chief Iustice of our said Court the 5th day of
October Anno Dni 1696

Hen Wriothsley Clk

William Dent Soll^r General

p. 115

Maryland ss

Iohn Cood late of St Marys County Gent was Summoned
to answer unto Geo Plater Esq^r Attorney Gen^l of this Province
who &c^a prosecuteth for our Lord the King of a plea that he
render his reasonable Acco^t for the time that he was receiver
of the Kings money which to Render he ought

And whereupon Geo Plater Attorney General aforesaid who
for our Lord the King prosecuteth saith that whereas the said
Iohn Cood was & stood receiver of our Lord & Lady the
King & Queen that then were at Wicocomico River in St
Marys County aforesaid from the 20th of September 1689 to
the 16th of August in the Year of our Lord 1690 then next
ensuing & had the Care & Collection of divers Sums of
money due and payable to our said Lord & Lady the King &
Queen that then were & by the time aforesaid did receive our
Bill of Exc^o of Ioseph Norcotts for Six Pounds Seventeen
Shillings, Bills of Exc^o of Samuel Gillams for fifteen pounds
nine Shillings and four pence, Bills of Exc^o of Abraham
Fifields for nine pounds Fifteen Shillings & four pence, Bills
of Exc^o of Mark Whitson for nineteen pounds fourteen Shil-
lings, Bills of Will^m Wraxall for Fifty nine pounds fifteen
Shillings, Bills of In^o Walker for Eighteen pounds sixteen
Shillings, Bills of Iohn Howells for Sixty pounds six shillings &
eight pence, Amounting to one hundred & ninety pounds
thirteen Shillings & Four pence, more Bills of William Brown-
ings for twenty Nine pounds Seventeen Shillings & four pence, p. 116
Bills of Gilbert Livesy for twenty five pounds three Shillings
& Six Pence Bills of Richard Robins for nineteen pounds two
shillings & four pence Sterl in all amounting to two hundred
Sixty four pounds sixteen Shillings & six Pence also Bills of
Exc^o of Thomas Gravers drawn on Captain Hopes for Ben-
dall & M^r Robert Warner Merch^t in London for Fifty nine
pounds eighteen shillings & four pence three Bills of Caleb
Tilleys drawn upon M^r Henry Cane & Company owners of
the Ship of Peace of Plymouth for fifteen pounds fourteen
shilling & eight Pence, Bills drawn by Iohn Clark on Alder-
man Thomas Johnson Merch^t in Liverpool for seven pounds
Six Shillings, Bills of Thomas Leach's drawn upon M^r John
Smith & Comp^a Merch^{ts} in Biddeford for Nineteen pounds

Lib. X. three shillings & four pence, Bills of Iohn Twitts drawn upon M^r Rogers Merch^t in Plym^o for Twenty five pounds two shillings & four pence, Bills of Joseph Gaich's drawn upon M^r Geo. Cole & Comp^a Merch^u in Lond^o for thirty eight pounds three shill^l & four pence, Bills of Abel Ieffreys for nine pounds Seven shillings & four pence in the whole amounting to four hundred thirty nine pounds Eleven shillings and ten pence An Account of which said Sum of £439:11:10 Sterl to our said Lord and Lady King & Queen that then were, the said Iohn Cood his reasonable acco^t to make and render when thereto requested he ought Nevertheless the said Iohn Cood tho often requested his Reasonable Acco^t aforesaid to our said Lord & Lady the King & Queen that then were nor to our sovereigne Lord the King that now is hath not rendered & hath hitherto refused doth still Refuse whereupon the said Geo Plater who
p. 117 &c^a Saith Our Lord the King is damnified & hath Loss to the the Value of Seven hundred pounds Sterl and thereupon action is brought &c^a

Plater

pleg Iohn Doe }
Richard Roe }

A Certain Clause in an Act of Assembly of this Province against Blasphemy

Be it enacted by the King & Queens most excellent Majestys by & with the advice & consent of this present General Assembly & the Authority of the same that from & after the publication hereof if any person or persons whatsoever inhabiting or being within this Province shall Blaspheme God that is to say Curse him or deny our Saviour Iesus Christ to be the Son of God or shall deny the holy Trinity the Father Son & Holy Ghost or the God head of any of the said 3 persons or the Unity of the God head or shall utter any reproachful Speeches words or Language concerning the holy Trinity or any the Three persons thereof for his her or their first Offence shall be bored through the Tongue & fined to their Sacred Majestys their heirs & Successors the Sum of Twenty pounds Sterling to be levied upon their goods & Chattels Lands & Tenements if any they have, but if such Offender or Offenders have not Goods & Chattels Lands & Tenements to the Value aforesaid then such Offender or Offenders shall suffer six months Imprisonment without Bail or mainprize & for every second Offence whereof every such Offender or Offender shall be Legally Convict he, She, or they so offending as aforesaid shall be Stigmatized in the Forehead with the Letter B & be fined fourty pounds Sterl to the use of their Majestys their heirs & Successors to be Levied upon their

p. 118 Goods & Chattels Lands & Tenem^u as aforesaid & in case he

she or they so offending as afores^d shall not have Goods & Lib. X.
chattels Lands & tenements to the Value aforesaid every such
Offender or Offenders shall Suffer Imprisonment for one whole
year without Bail or mainprize as aforesaid & for every third
Offence whereof every such offender or Offenders shall be
legally Convict as aforesaid he she or they so offending shall
suffer Death with Confiscation of all his her or their Goods &
chattels to their Majestys their heirs & Successors

S^r Edmond Andros Kn^t his Majestys Lieu^t & Governor
General of Virginia to all Sheriffs & others whom these shall
or may concern in this his Majestys Colony & Dominion sends
Greeting

Whereas the Governor & Council of Maryland hath ac-
quainted me of the process & proceedings for Blasphemy
against Coll^o Iohn Cood late of S^t Marys County in that Pro-
vince sent me by M^r William Ockman Lieu^t of his Majestys
hired ship Prince of Orange & of the said Iohn Coods being
fled from Justice & privately removed into this Collony these
are therefore in his Majestys name to will & require you &
every of you to apprehend & take into your custody the said
Iohn Cood if found in any of your County & him deliver to be
returned to Maryland to the said W^m Ockman or other person
or persons authorised from that Province & all Magistrates &
officers civil & Military & others whom it may concern are
hereby required to be Aiding & assisting to you & every of
you in the performance thereof as occasion, for which this
shall be your & every of your sufficient warrant given under
my hand & seal this 3^d day of Ianuary Año Dni 1696

p. 119

E: Andros

A warrant to all Sheriffs in
Virginia for Apprehending Coll^o
John Cood &c^a

E Iennings Dep^t Secry

S^r

His Excellency S^r Edm^d Andros having received a Letter
from his Excellency the Governor of Maryland with papers
relating to Coll^o Iohn Cood & desiring an answer by you, I
am directed to have the inclosed warrant delivered not know^s
of Coods being in this Government am sorry I was not at
home when you were here that I might assure you that I am

Sir

Ripon Hall Ian^r }
24th 1697/8 }
Lieut Ockman

Your humble Servant
E Iennings

Lib. X.

Maryland Port of Annapolis Feb^r 19th 1697

Sir

This day was read in Council here a Letter by me received from Coll^o Iennings dated the 24th of Ianuary past together with a warrant under your Excellencys hand & Seal for apprehending Coll^o Iohn Cood & upon consideration thereon had it is thought Expedient for his Majestys Service that you would please to send one of the said Warrants to the Sheriff of each County within your Governmen^t with Directions & orders to the Sheriff that apprehends him for to deliver him up to the next Iustice of peace in this Government either on the eastern or Western Shore Where he shall be taken to the end he may be proceeded against according to Law & that you likewise would give notice to all masters of Ships within your Governm^t that they presume not to take on Board & convey away the said John Cood whereby he may escape unpunished for such his enormous crime & likewise defraud his Majesty of the debt claimed from him which appears by the proceedings in my last Letter to your Excellency Inclosed

The afore matters being thought of absolute necessity for his Majestys Service to be done occasions thus much from

Your Excellencys humble Serv^t

Gov^r of Virginia

Fra Nicholson

Annapolis Iuly the 2^d 1698

S^r

Inclosed I have Sent a Copy of a former Letter of mine to your Excellency two presentments by the Grand Jury of this province one of M^r John Cood Sen^r & the other of M^r Gerard Sly together with a Deposition sworn to by George Muschamp Esq^r relating to them also have Sent your Excellency a Copy of a warrant lately issued from the Council Board here for the apprehending the aforesaid Cood & Sly, Robert Mason, Philip Clark, Sam^l Cooksey & W^m Harpam for such Reasons as in the said Warrant are Expressed

S^r

Likewise I send you a Copy of a Deposition sworn to by Coll^o Henry Mitchel of Calvert County & part of a Letter written by Sly to M^r Samuel Watkins of Putuxent which seem to insinuate that they are Countenanced & Protected by your Government, every one much Admiring M^r Cood should appear so publickly in Virginia & not be secured if any directions given or care taken therein further I have sent your Excellency the opinion of his Majestys Lawyers here upon

several Depositions to them referred in relation to the afore- Lib. X.
said persons by all which your Ex^{ty} may see what ill designs
they have on Foot against this, his Majestys Government &
the apprehensions we have thereof; therefore with the advice
of his Majestys honble Council & the Assistance of three of
the Iustices of the Provincial Court within this Province I
desire your Excellency will be pleased Immediately to give
such Orders as you shall think necessary for the apprehend-
ing of Cood Sly Mason Clark Cooksey & Harpam if found
within your Government; as for M^r Cood he is an Inhabitant
& seen publickly in Virginia every day therefore 'tis very
strange he should not be secured & delivered up to ans^r
according to Law, for want of which, if this his Majestys
Government here, should sustain any damage, it will be laid
to their charge who are the cause thereof, it is said M^r Sly is
gone down to York river on pretence to look after some
Business there, but those that know him better Conceive no
otherwise but that he will there Imploy himself as he did last
year to forge Articles & make disturbance to amuse the
people here & to invite them to Rebellⁿ the said Sly is now
under two Recognizances the one of 40000^l of Tobacco upon
the Grand Iury's presentment against him & the other of one
thousand pounds Sterl being taken by a warrant from the
honble his Majestys Council here for his appearance at the p. 122
next Provincial Court which is to be held God willing the last
Tuesday in August next

Therefore hope your Excellency (in regard to what he &
the others stand charged with for which in this his Majestys
Government they may be proceeded against according to Law)
will give your orders to the several Masters of Ships & Vessels
now within your Gov^t not to take them on Board & Carry
them away & that you will take Effectual Care to have them
apprehended & delivered up to this Gov^t as your Excellency
may see in the Journals of the Council in my time was done
by Woodcock & others who were delivered to this Province
or otherwise upon Notice care will be here taken to send for
them by

Governor of Virginia

Your Excellencys humble
Servant
Fra: Nicholson

Sir

Virginia the 13th Iuly 1698

I have received your Excellencys Letter of the 2^d Instant
with a Copy of your former of the 19th of February 1696 &
presentment of your Grand Iury agst M^r John Cood fled for
Blasphemy which I thought had then been Effectually answered

1 ib. x. by my Warrant theirin mentioned directed to all Sheriffs in Virginia to apprehend the said John Cood wherever he should be found in this Governm^t & him to deliver to M^r William Ockman the person sent by your Excellency or to any other that should be Authorised from your Gov^t & if your Excellency has been informed that Cood was here, I can give no Greater
p. 123 authority then that warrant Contains by which he might have been taken up if it had been prosecuted

And as for M^r Sly & others I find your Excellency upon the advice of the Lawyers to whom it was referred has issued a warrant to the Sheriff of S^t Marys County for bringing them before you & the Council for Examination but not that they fled from Iustice or other proceed^{es} or Proclamations warranting the taking them up Elsewhere

I shall be always ready to assist your Excellency for Support of his Majestys Government of Maryland & to prevent Combinations & other offences here against your Excellency or any other in Authority in your said Gov^t

Your Exc^{llcy}s humble Servant
E: Andros

Governor of Maryland

P. R. O.

[Letter of Gov. Nicholson to Board of Trade.]

[Board of Trade. Maryland. Papers. Bundle. C.]

Maryland port
Annapolis Augth 20. 98

May it please yo^r Lord^{sh}

I hope in God that long before this the honourable S^r Tho: Laurence B^r his Majestys Secretary of this Province, hath waited upon yo^r Lord^{sh} & p^rsented to you the Journals and publick papers &c. with a letter of the 28th of May last, w^{ch} I did my self the honour of writing to yo^r Lordp^s as allso that wth yo^r leave he hath given yo^r Lordp^s a just and full account of all the affairs concerning this his Majestys Province; as allso of the neighboring Governments in relation to this.

I am humbly to beg yo^r Lordp^s pardon, that the Journals and other publick Papers, which I now humbly transmit to yo^r Lordp^s are not written upon such paper as yo^r Lordp^s sent: for it did not come time enough, only for the last journal of Council; which I hope is according to yo^r Lordp^s directions: and for the future what is to be sent to yo^r Lord^{sh} shall be written on that paper, or other ruled like it (for I have given and sent Copys of yo^r Lordp^s Directions therein, to all publick officers) but hope we shall never want it, because I have sent to Engld. for 12 Ream.

I am likewise to beg yo^r Lordp^s pardon for not sending P. R. O.
yo^r Lordp^s the journals, publick Papers &c. sooner. But M^r Henry Denton dying before he had been able to form the journal of Council, and of that in Assembly; I have found a great deal of difficulty in compleating them from his Minutes. But I hope they are as truly done, as if, please God, he had liv'd & finish'd them. Another Reason, is the great scarcity of good Clarks; (so that I am almost forced to make according to the proverb Bricks without straw) only M^r W^m Blaiden whome I have found the most capable in all Respects, I have removed from being Clark of the House of Delegates, to that of the Council: and therefore it is, that he now signs all the Journals, both of Council, and of the House of Delegates. And N^o 1. is an Account of them, and of the laws made in March last.

I have at last had the good Fortune of receiving yo^r Lordp^s Commands in the Duplicat of yo^r Lordp^s Letter of the 2nd of 7ber last, which Col. Robert Quarry gave me. And that w^{ch} yo^r Lordp^s sent by his Majestys Advice-Boat the Swift, I hear was broken open, and read by some people in North Carolina, and afterwards burnt. And I suppose his Excy S^r Edmund Andross hath given yo^r Lordp^s a full Account of that Affair. And N^o 2 is a Copy of Cap^{tn} N. Bostock Commander of the sd. vessel his Letter about her.

With humble submission to yo^r Lordp^s I think it absolutely necessary for his Majestys Service, that an other be sent with all Expedicon. For besides looking after illegal Trade, Privateers, & Pyrates here, and in Pensylvania; such a Force will be an awe upon any who design an Insurrection or Disturbance; and will also be one way to prevent seamen from running away, and being refractory and mutinous aboard their ships; by changing or punishing of them (For I have had several Complaints about these things. And N^o 3 is a Copy of a Peticōn signed by several Comānders of ships and vessels; as also of my Proclamacon thereupon. But so long as they are countenanced and harbored in Pensylvania, tis impossible wholly to remedy these two Evils; because the seamen can so easily get thither, both from Virginy and this Province.) As also to assist any ship or vessel that shall spring a leak, or whose Seamen may be sick of a seagoing: both which have this year happened to some.

When it pleaseth God that any of these four Accidents happens to a ship or vessel; one is in danger of having her voyage overthrown: or at best, very much retarded.

I have observed that if a Ship or Vessel can but (please God) get clear of Capes, they will venture with a few hands. And others, thō they be sickly of the seasoning, will venture

P. R. O. too, rather than stay; being apprehensive that they should not recover, if they stay in the Country. They are in hopes that being at Sea, & change of air recovers them; which I think it doth. For may be great fears & hopes operate very much upon such sort of people in point of health.

I hope yo^r Lordp^s will be pleased to send me his Matys Royal Letter dated the 22nd of April 97. requiring my punctual Care in all things relating to the execution of the Acts for the Plantacōn-trade: for there was no Duplicats of it with yo^r Lordp^s

According to yo^r Lordp^s Comānds concerning his late Excellency Govern^r Copley's Estate's answering to his Majestys the 4th part of the 1st p H^{dd} on Tobacco, which he ought to have employed in Stores of war; I have given orders to his Matys Attorney gen^l to revive the Prosecution at Law agst the s^d Govern^r Copley's Administrat.

N^o 4 is an abstract (taken out of the journals of the Council since my time) concerning Arms, Ammunicōn &c. which I found in this his Matys Province: as allso what I have sent for, & is come in upon the Acc^t of the 3^d p H^{dd} on Tobacco; & how the s^d Arms, Ammunicōn &c. are disposed of, The several Collect^{rs}, Naval Officers, and Receivers, were all sworn to their Acc^{ts} before me, and his Majestys honourable Council; that it might appear what was the full summe thereof; in order to have it appropriated for buying Arms, Ammunicōn &c. according to one of his Majestys Royal Instructions to me.

The first Account thereof, which is in folio 23, was sent by Captain Peter Paggan Mer^{cht} in London. And the last, w^{ch} is in folio 42, was sent by one M^r Isaac Milner by order of the said Paggan. And from folio 44, to the end, are Copys of Letters to the sd. Paggan and Milner, concerning what Arms, Ammunicōn &c. they are to buy and send in by the next shipping, w^{ch} it please God, shall come hither. And for fear there should be any want of them especially of the powder, I sent my own Bills for 250^l, thō I had not rcd. above the half upon account of the sd. 3^d

In the sd. N^o 4 are orders of Council concerning the Militia, which I think dos not deserve that Name; for I find it morally impossible to have any tolerable one, as the Act is now. But I intend (God willing) to try the Assembly once more for a new Act.

The Reasons why I have not given particular Commissions, are because I can not find men enough, that are qualified for their Loyalty, Courage, and Diligence, to be made Officers. And those who are obliged by Law, to be either, Horse, Foot, or Dragoons, and to have Arms, Ammunicōn &c. of their own; can not amongst them all, fully equip a twentieth part. For

as for the 400 men which were order'd last Fall to be drawn P. R. O. out of all the Militia upon the Account of the Indians, and to be in readiness upon all extraordinary occasions; I have not as yet had an account of their being compleated in all respects.

And with humble Submission to yo^r Lordp^a I don't think it for his Majestys Service at p'sent, to alter the method that I have taken concerning the Militia; for fear that if they have particular Commissions under my hand & seal, they may make use of that power to his Majesty's prejudice. For I think some have endeavoured to raise a Rebellion; or at least, have made very great disturbances: The account of w^{ch} your Lordp^a may please to see by the Depositions of several Persons upon oath, in the last Journal of the Council. Some are of Opinion that my Lord Baltimore will have his Government again: and others hope so. From the first account we had of the likelihood of a Peace, especially when the happy News thereof came, these things have happened here. For some were very willing that his Majesty should deliver them from Popery and slavery, and protect them in time of War: because they were not then able to preserve them selves. But, now it hath pleased God, by his Majesty's unimitable Valour & Conduct, and indefatigable pains, that these troubles and fears are ceased; they are not satisfied wth his Majestys Government; because it curbs them in their former atheistical, loose, and vitious way of living; and debars them of their Darling, illegal trade.

The Papists joyne with them as doe allso the Jacks, both Jurors, and Hon's. but I think them selves may be esteemed such sort of Jemmys: and I suppose, some of the Quakers too. If my Lord Baltimore should have this Government again, they hope (as formerly) these things would be suffered. For I suppose my Lord must comply with the Iesuits in the point of Religion; who, no doubt, will take more vigorous Resolucōns, and put them in Action for the promotion of their damnable tenets. And I believe his Lordp will consider that the best, if not the only way to promote his temporal Interest here, will be not to disturb them in their illegal trade, or other ill practices: for fear that if they can not injoy them under his Lordp^a Government; they may assume it to them selves: which will be no very difficult thing for them to doe: except his Majesty will be pleased to protect his Lordp but whether yt be adviceable for his Majesty so to do, or no, your Lordp^a are very proper Judges. And I imagine that his Lordp. will not be against their being easy (as they call it) so long as the several Branches of his Revenue doe but increase, and are well paid.

I fancy that these dissatisfied People here, design to have a tryal of skill, whether they can by their own, and their accom-

P. R. O. plices, ways, and means, get my Lord his Government again. And I think they would either be Govern^r them selves, or have such an one as they might rule. For I have observed that the people in these parts are not much for having their Govern^r to be a Native: and a great many of them are pretenders. But whether this be for his Matys. Service, or the Interest of Eng^{ls} in point of Trade &c. Yo^r Lordp^a can very well determine. But with humble submission to yo^r Lordp^a I think there is odds on Nature's side, that they will much rather act to the Contrary.

I am almost morally assured, that when it pleaseth God, there shall come an Account that his Majesty will keep the Government; there will be an end of all these Desturbances. In the Interim I hope in God, that as I have hitherto been able: so shall continue to preserve this his Majesty's Government, according to his Majestys Royal Commission and Instructions, & yo^r Lordp^a maugre all its Enimys, both publick & private.

With humble Submission to yo^r Lordp^a I can without vanity, and with a great deal of truth affirm, that I have had a continual very troublesome and chargeable Government in all Respects. For I don't look upon any thing I have done; but as it was my bounden Duty to his Majesty: and am heartily sorry that I have not been able to doe more for his Majestys Service: but I'm sure the reason is not for want of a willing heart.

By S^r Thomas Laurence I sent yo^r Lordp^a as exact an Account as I could then get of all the Moneys given for publick uses; and how the same has been from time to time expended & layd out. And I hope Y^r Lordp^a will pardon me, that you had not them before, nor then so complete; having very few proper and useful Tools to work wth all: For I am not only to give Orders to the several officers, both principal and inferiour; but to see them execute them; and may be, give them directions therein. And I hope that no other of his Matys Governours are under the like unhappy Circumstances. But N^o 5 is George Plater Esq^r &c. his Account, which is more full than that which I sent yo^r Lordp^a by S^r Thomas. And N^o 6 is George Muschamp Esq^r his Account &c. And for the future (God willing) yo^r Lordp^a shall have them constantly sent, & in ruled paper, according to yo^r Lordp^a Orders; having given them directions for so doing.

I humbly beg leave to observe to y^r Lordp^a that the several Sum^s in the Accounts, which were pd. to me, were for having payd the same by a few bills of Exchange; which are repayed in several small ones: and that I was out of my money some time, that I had not the least Interest; but some charge and

trouble about it: And that since I had the honour to serve P. R. O. his Maty in that Stacōn, I never received any Tobaccos or money as a p'sent from the Country. And they have only allowed me Ninety six pounds ten shillings for the Rent of a House, since I came into this Province. And since I came to this place, which is now about 3 years & 1/2. the Country hath been at no charge for a Council-Chamber; which they were annually at before. For the Council hath allways met in my House: And yo' Lordp^s know very well that his Matys Govern^r of Virginy hath 150^{lb} p Annū for House-Rent: And the Country pays 25^{lb} p Annū for a Council-Chamber. The peace, I hope, hath made an End of o' assisting N. York: But if it please God, I should be called upon by his Excy the Earl of Bellamont; yo' Lordp^s Commands therein shall be obeyed

What yo' Lordp^s are pleased to write concerning the Boundaries between this Province and Pennsylvania being layd out: I have not been able to perform yo' Lordp^s Commands therein; by reason that the Order of Council of the 13th of 9ber. 85. made in the late King James his time, was not with yo' Lordp^s Duplicat: neither M^r Pen his letter to Col. Markham: For I suppose they underwent the fiery tryal in North-Carolina.

I have heard that my Lord Baltemore was tricked by M^r Pen about that order of Council: For, according to my Lord^s Patent, the Boundaries of Maryland are beyond that line. Whether yo' Lordp^s will be pleased to examine further into that Affair, is not for me the least to dispute.

N^o 7 are Cops of several Letters, and other papers, w^{ch} I rcd from Col. Robert Quarry, as allso one from M^r Moore, with a Copy of my Commission for appointing Judge, Advocate, Martial, & Register in this province, Pennsylvania, & West-Jersey. But with submission to yo' Lordp^s I think that the Court of Admiralty, which his Majesty hath ordered to be established in Pennsylvania, will be of no Use, if the Act which was passed lately there, is to be of any Force. And N^o 8. is a Copy thereof, with some Querys which I have p'sumed to put to it: as allso his Majestys Attorney gen^l and Council at Law, their Report upon the Last Query; with the Opinion of some of his Majestys Council and Provincial Justices thereupon.

The Form of the sd Law (but I think it doth not deserve so sacred a Name) seems to me to be somewhat extraordinary; for I don't find that it is enacted by any Body; nor words to that Effect: But there is a great pretence of securing his Majestys Interest; especially concerning Tobaccos, which I am glad to find they own: and that there may be such a thing as illegal Trade in that Province. But this with humble Submission to y^r Lordps as allso it seems to me that by the wording of that Instrument, no law made in Engld. should be of force

P. R. O. there, tho the Plantacōns were named in it (and may be they are of opinion, that because they have pretended to add new Penalties to the Acts for Trade &c. made in Engld. their so doing may be as the Grass to hide their Snake: but I think it is one with Rattles, by which he is easily discovered, and then as easily destroyed) unless they gave a sanction to it by way of Friendly Caution to their spirituallized Brethren.

And I have observed that a great many People in all these Provinces and Colonies, especially in those under proprietors; and the two others of Connecticut, and Rhode-Island, think that no Law of Engld. ought to be in force, and binding to them; without their own consent. For they foolishly say, they have no Representatives sent from them selves to the Parliaments in Engld. And they look upon all laws made in Engld. that put any Restraint upon them, to be great hardships. I will endeavor to get all the Laws, Ordinances, and Proclamacōns of Pensylvania, and West-Jersey, in order to send them to yo^r Lord^{sh} but I fear it will be a difficult thing to obtain them if they know they are for strangers: especially for me: for M^r Pen writes that M^r Moor's and Cap^{tn} Snead's corresponding with me, is villanous in them and not well in me. All the publick Correspondence that I have had with them concerning illegal trade, Pyrats, Privateers &c. I have sent accounts of, and copys of their letters to yo^r Lord^{sh} and I think it my duty so to doe, till I have yo^r Lord^{sh} Commands to the Contrary. And I intend to keep Copys of them: because I think I ought to have them by reason that his Majesty hath impowered me, upon Vacancys, to appoint a Judge &c. allso to see whether any of these things concern his Majestys Interest in general, and this his Province in particular.

With Submission to yo^r Lord^{sh} if this Pensylvanian Law should be in force there, it would be an example for the other Proprietor's Governments to make such an one: And upon the like Occasions, they may enact others as repugnant to the Laws of Engld.

And I humbly beg leave of yo^r Lord^{sh} to make this proposal, vizt. that all Governours in these parts of the World; whether they have his Majestys Royal Commission, or Proprietors; or be elected by the People, as in Connecticut, & Rhode-Island, be obliged to give good security for the due performance of the Trust reposed in them especially for the due observance of the Oaths which they are obliged to take, made in the 7th & 8th years of his Matys Reign for p^rventing Frauds &c. and that they take no Rewards directly, or indirectly, from any Pyrats, or Privateers: and that they neither incourage, harbour, or protect them, but will, to the utmost of their powers, use all lawfull means to have them apprehended Secured; in order to

have them punished according to law: and that they be obliged P. R. O. to take an oath to this effect, concerning Pyrats and Privateers, under the same penalties as the Acts of Parliament about illegal Trade &c. have provided: in case the Govern^r refused to take the oath; or break it afterwards. For it may so happen, that some Governours may get more by illegal Trade, Pyrats, and Privateers, than their Governments are worth: or, as the Common saying is, make their Fortunes at once; when they shall use such ways & means.

When our Assembly meets, I shall lay before them yo^r Lordp^s Letter of the 21th of March last, as also the Act for restraining and punishing Privateers and Pyrats in his Majestys Island of Jamaica. And according to his Majestys Royal Command Signified to me by yo^r Lordp^s I will use the utmost of my Endeavo^r with o^r Assembly, to pass such an Act here.

I am heartily sorry that yo^r Lordp^s have so just an occasion to write about the Laws of this his Majesty Province being in such Counfusion. But I doe assure your Lordp^s that I have several times proposed to the House of Delegates, that they would get some proper person or persons to revise their Laws, and draw them up better, both Stile, Form & Method: but this they would not doe, (for I suppose they had the Change of Government in their heads: and this would cost money, and they get none of it) tho^t I am very sensible they are deficient in them all. They once appointed a Committee to doe something of this Nature in the Interval of Assembly: but never met: & if they had, I don't see that they could have done much: for we have not men qualified for such an undertaking.

But, according to yo^r Lordp^s Commands, I have imployed 3 of the best Clarks, and all I could get; and they are now Copying out, (upon that paper which yo^r Lordp^s were pleased to send) all the Laws w^{ch} were passed both in Govern^r Copleys, & in my time. And I hope to have the Body of Laws finished within a moneth; for I attend them daly. Then they shall (God willing) according to yo^r Lordp^s directions, be sent to you. And I have also for these two last years, refused to revive their temporary Laws that were enacted before.

But with humble Submission to yo^r Lordp^s at first I found it absolutely necessary for his Majestys Service, to revive some of them. So I hope yo^r Lordp^s will be pleased to pardon me, and what I have done herein, should not at p^rsent be agreeable to yo^r Lordp^s Comānds. And what others yo^r Lordp^s may be pleas'd to send, shall be punctually obeyed by me.

I send to yo^r Lordp^s by Sir Tho: Lawrence the original Lists of Taxables, with a distinction of Freemen, Servants, Negroes,

P. R. O. with their Religions; but finding that they were very imperfect, have given new Orders about it, as also about the sherriffs returns relating to those Persons that are imploy'd in places of Trust, contrary to the Intent of the Act for preventing Frauds &c. and likewise for a more perfect return concerning the number of sea-faring men, ships, and vessels. But they never having been us'd to such Returns; & most of the Officers either so very negligent, or not capable; are the reasons that I have not been yet able to send them to yo^r Lordp^s

I hope that their Hon^{rs} the Commissioners of his Majestys customs, will doe something concerning the Assemblys Address to his Majesty for the remission of Forfeits upon Navigacōn-Bonds. And then I shall be sure (as yo^r Lordp^s please to write (that you will take all due care of it, when yt comes before yo^r Lordp^s (God willing) I intend to send to them by one of the next ships; which I suppose, will be within a few days, a Copy of the Pensylvanian Act, as also Copys of Col. Quarrys Letters; For the Col. told me they had spoken to him to give them an Account about the Admiralty &c.

According to yo^r Lordp^s Commands to me, I shall exert all the power I have in the redressing of that evil of taking up too large tracts of Land, more than the Grantees are able to cultivate. But the soyl in this Province, being my Lord Baltimore's, I find my self invested with no power from his Majesty concerning it. But I shall lay it before the Assembly, and endeavour by some Act, or Ordinance in some measure to redress that Grievance. But as for preventing it in Virginy; I think it may be easily done for the future. When I had the honour to serve his Majesty as Lieftenant Govern^r there, his Matys Royal Instructions to the late Lord Effingham then chief Governour, which bore date the 9th day of S^{ber} as were sent to me; one of which is, vizt. "And whereas we have "been informed that the Grant of o^r Royal Grandfather of "blessed memory heretofore made to that our Colony, to "exempt the Planters from paying Quit-rents for the first seven "years, did turn to the great prejudice of that o^r Colony, and "that many took occasion thereby to take and create to them "selves a title to such quantitys of land, which they never "intended to (or in truth could) occupy or cultivate; but thereby "only kept out others who would have planted and manured "the same: And the late King Charles the 2nd of blessed "memory, having therefore by his Instructions given to S^r W^m "Berkley, revoked all such Grants, as contrary to the Intention "of o^r Royal Grandfather, and to the good of our Subjects "there: We doe likewise give the same Directions to you; that "if any such Grants should still be insisted on, the same be "looked on, and taken to be voyd and of none effect: and you

"are likewise to restrain the unlimited Practice of taking up P. R. O.
"more land, than can reasonably be cultivated; and to regulate
"all abuses therein."

And this Instruction I had published in the Provincial Court, and recorded there (for whoever petitiōns for land, must doe it there) and refused granting of patents to them who I found were not qualified to take up land according to it. And if any have taken up land contrary to the Tenour of this Instruction, (which no doubt, most of the great tracts in Virginy have been) quære whether or no his Matys Attorney gen^l there may not prosecute them. But with submission to yo^r Lordp^s I think that his Matys Attorney, and Solicitor gen^l in Eng^{ld} should give their opinion thereupon: for alass, few or none that practice as Lawyers in these parts, know much, if any thing of the matter. When I was in Virginy, I have heard that it had been a common practice for persons who would take up land, according to the Condiōns of Plantaciōns, vizt. 50 acres for every person imported; that they could buy Rights (as they call'd them) from the clark of the Secretarys Office. Sometimes he purchaced them of those who were really imported; and other times would set down persons Names of his own inventing: and sometimes those who brought names to register on the Account of the 50 acres p head, would doe so too. I think a person was once detected for pretending to register the Names of the chief Gentlemen in Kent: by doing which he was found out: the clark either being of that country, or remembring their Names. And no doubt several such Cheats have gon undiscover'd; as allso that those persons who have been really imported, their Names have been made use of several times. An other way, I humbly conceive, to make those who hold great tracts of land, quit some of them, will be by obliging the Audit^r either by himself, or some other person or persons, to find out the exact Number of Acres that every person holds: & make those who have pd. for less than they have, to pay their arrears: which, I think, by Law, they ought to doe: and then no doubt some of them will be forced to quit some of their Land: and so that Branch of his Majestys Revenue about the Quit-rents will be augmented. For the auditor hath seven and an half p cent. for taking an account from each respective Sherriff (who hath ten p cent for receiving the Quit-rents in Tobacco, which is taken at 1^d p pound; and every 50 acres is to pay 1^s yearly) and selling the Tobaccos afterwards for ready money, or good bills of Exchange. When I was in Virginy, I found that the Quit-rents were sold privately, and the major part of them bought by the Counsellors: But the last year I had notice given in in the Provincial Court, that any person who would give most for them, might have them.

P. R. O. And they sold that year, for more in the hundred, than they did before: and I suppose, will allways doe so, when so exposed to sail: For I found that that way gave great satisfaction, as the other did the contrary.

When I transmit to yo^r Lordp^s the Body of Laws which are now transcribing fair; I shall endeavour (according to yo^r Lordp^s Commands) to send yo^r Lordp^s the Draught of one for a gen^l pardon: and shall likewise observe yo^r Lordp^s directions concerning the pardon for the two Women guilty of Murder. But I have an account that one of them is gotten away from Robert Mason late Sherrieff of St Marys County.

Being yo^r Lordp^s think it not fit to propose to his Majesty the establishment of any new Office in any particular place, as that of Sollicitor gen^l here: with yo^r Lordp^s Consent I shall endeavour to make M^r W^m Dent some sort of satisfaction for what services (w^{ch} have been very many) that he hath done his Majesty in that Stacōn. For he hath had a very troublesome time of it; and no doubt hath lost very considerably by his practice. But I dare affirm, that had not he been imployd in his Matys Law-Affairs; they would have suffered very much, both for want of him, and of his being on the contrary side.

Before the next moneth be out, I expect to have accounts from every County what number of persons (please God) are dead of this last distemper: which I judge by a rough Computacōn, are betwixt 800 & 1000 persons: but now, I thank God, the distemper is quite over.

There hath been imported this summer about four hundred and seventy odd Negros, vizt 396 in one ship directly from Guiny. 50 from Virginy, which came thither in a ship from Guiny. 20 from Pennsylvania, which came thither from Barbadoes: a few others from other places. And by the middle of the next moneth, I hope to have the certain Number of Servants imported; which by such an other Computacōn, may be about 6 or 700. whereof most part are Irish. Now, if please God, there should next year, or within 2 or 3 years dye the like Number of Inhabitants; and there should be imported as many Irish and Negros, especially of the first, who are most, if not all, Papists; it may be of very dangerous consequence to this his Majestys Province; as allso to that of Virginy; being I hear they are under all the same Circumstances. And they might make great disturbances, if not a Rebellion: because these are very open Countrys, and they may have easy Comūication with one an other near the Falls of Potomock; And in each Province they can doe it much easier: for the comōn practice is on Saturday nights, and Sundays, and on 2 or 3 days in Christmas, Easter, & Whitson-tide, they goe and see one an other, thō at 30 or 40 miles

distance. I have several times both in Virginy and here met P. R. O. Negros both single, and six or 7 in Company in the night time. The major part of the Negros speak English: and most people have some of them as their domestick servants: & the better sort may have 6 or 7 in those circumstances: and may be not above one English: And they send the Negro men and Boys about the Country, when they have Business; and they commonly wait on them to all publick places: So that by these means they know not only the publick, but private Rodes of the Country, & Circumstances thereof. And as for the Irish servants, they have more privileges: and I don't know but they may confederate with the Negros; and in the summer time they may keep out in the Woods about the Frontiers, which are very thinly inhabited. But a great many of the people's Stocks of Cattel & Hogs run there, which may supply them with Victuals: In which parts there are are a great many Swamps that they may fortify; and it will be very difficult and dangerous to come at, & force them out.

And if it please God these things should happen, even the subduing of them would be a very great charge and loss to the Country in gen^l and to their Masters in particular I have put the House of Delegates in mind of these things, and shall again at their meeting the 20th of October next, remind them of them in order to have some Law made for the restraining of servants and Negros going and rambling so abroad

It's generally supposed that there will be left both in Virginy and here, Goods enough to purchase, and Ships to carry away half the next Crops of Tobaccos.

Here hath lately happened very great Rains, which will probably drown some quantitys of the Tobaccos; especially in the low Lands; (and the half of our Eastern shore is so) as allso spoil some of the ripe and forward: but the greater part of it is latter Tobacco. So that unless please God, there should be seasonable weather for above a moneth; there will be but indifferent Crops made in this Province.

By the best accounts which I can get, all the English Provinces here, on the Continent, have been allso overstocked with ships and goods from Engld. so that in some places they sell their Goods for less than they cost them in Eng^l^d Both in Virginy, and here, they are very cheap, and Tobaccos pretty dear: and some ships go at very low Freight: So I shall not p'sume to trouble yo^r Lordp^s as formerly, about having the Merchants send a quantity of Ships and Goods to supply the Market &c.

I hope that I shall have yo^r Lordp^s Pardon, if I observe that M^r Pen's chief insinuating Reason, That the ten p Cent laid

P. R. O. on Goods here, hinder'd the Importacōn of English Goods into Pensylvania, now appears (like some of his others) to be none at all. And for his saying that 'tis a partial Law; I hope that what is in N^o 9 being a Copy of an Act of Assembly, and a minute there of, will satisfy yo^r Lordp^s to the contrary: And the Act for ten p Cent. expires next May.

Upon Inquiry I find that the English Islands in the West-Indies, are under the same Circumstances for the quantitys of ships & Goods; as also that where ever the English trade, suppose they have overstocked their Markets. Now, if it be so, I think my Country men may not have playd the politick part; yet they have shewed how vastly rich they are, w^{ch} pray God continue. And I hope that will be publickly taken notice of, especially in France; that after so long, cloudy, and very expensive a War, & the loss of so many Ships and Vessels, they have been able more than enough to furnish all parts with such great quantitys both of ships, and Goods: so that I think in some sort, the trade of this year in respect of the War, may be compared to the great fire of London, and the sudden building of it much finer than ever twas; as I also find they doe their Ships.

In reading one of the monethly Mercurys, I was very sorry to find that both from East and West France they were designing to send great Settlements to the River of Meschapi. For having lately read Hennapins Travels into those pts. I find that if they settle that River, that and the River of Canada will encompass all the English Dominions here. And if please God, the French should get all the Indians on their sides, or have force enough to beat or over-aw them that will not joyn with them; they may be very troublesom to all our Frontier plantacōns on this Continent. For upon Inquiry I had an Account from some Chaovonon Indians whose Country lies to the south-west of South Carolina, & a Frenchman that came with them, and was with Monsieur de la Salle that Journey that he was killed; that the French have some settlements West Southerly not above 200 Miles from the Falls of Potomock. One of the chief of those Indians I got to chalk out the way to those Settlements, & so to the River Maschapi, to the parts adjacent, and down to the Bay of Mexico. I had one, who with the help of the French man, made a small rude draught with a pen, which I find in some sort to agree with Hennapins Mapps. And I find that in pag: 250 of his Book, he had by an Indian, a Country of 400 leagues described, which he found to be very exact. I am afraid that now please God, there is a peace, the French will be able to doe more dammage to these Countrys, than they were able to doe in the War. If they can not be prevented from setling on

the River Maschasipi; I humbly propose that Incouragement P. R. O. may be given to the Inhabitants of these Countrys; or to any in Engld. so that they may be able to furnish the in-land Indians with such quantitys of Goods, and so cheap, that they may get the Trade from the French, or prevent their increacing it, and if possible, make settlements amongst the Indians, as the French doe, and build Vessels upon their Lakes.

By the latter end of the next moneth, I suppose all the ships and vessels, w^{ch} loade this years Tobacco here, will be sailed: and the Receivers, Collect^r, and Naval Officers, will be able to make up all their Accounts, and compleat their Lists of ships &c. and by one of the last ships, I design, (God willing) to transmit them to yo^r Lordp^s

In the Journal of the Council which is marked (letter F) the latter end thereof, are cyps of Letters, and other papers sent to his Excy S^r Edm^d Andross from my self, and his Majestys Council here, about Cood, Slye, Mason, & Clark; with the hon^{ble} Col. Edm^d Jennings Deputy Secretary of Virginy, his letter to Lieftenant Olleman, with a Copy of S^r Edm^ds Warrant to take Cood, with his Letter of Iuly the 13th in answer to what was written to his Excellency about Cood, Slye, Mason, Clark &c.

With humble submission to yo^r Lordp^s if such persons be suffered to live in a neighboring Province, especially one under his Majestys immediate Government, and when desired to be sent back to an other under the same Circumstances, in order to have legal tryals: 'twill be a great Incouragement for mutinous and rebellious Fellows. And the Proprietor's and elective Governments, will, no doubt, make use of this as a p^rsident for doing the same upon the like occasions. For 'twill be an extraordinary thing when these Governments are with out such sort of persons as Cood; who, I think, is a diminutive Ferguson, in point of Government; and a Hobbist, or worse, in point of Religion. Slye a mimick Goodman for Amours; but can not get him self out of Debt. Mason a great pretender to honesty; but hath cheated and oppressed most of those that lay in his power to serve so. Clark a mighty pretender to Law, especially to Magna Charta; For he was one of the great Incendiarys in the house of Delegates: especially about the last Act of Religion &c. For he drew it, and would have that clause in, about the libertys and propertys of the Subject: tho he knew that his Majesty had disapproved the former for having such a clause. From working at the Howe, he p^rsumed to take upon him that noble Profession of the Law. And in his pleading he is very confident, impudent, and balling. And I have had an acc^t that he is not honest to his Clients.

That which I most humbly beg of yo^r Lordp^s is, that if these

P. R. O. persons, or other such like pretend to accuse me to yo^r Lordp^s they may be obliged to sign the same, & give security: for Cood and Slye ow more than they are worth; especially the latter; who wth much shirking keeps out of Jail. Mason and Clark have very inconsiderable Estates: So that when I have cleared my self, which I hope in God, to doe by yo^r Lordp^s permission; I may have my Remedy at Law agst. them. Its one of Coods principles that Fling a great deal of Dirt, and some will stick: and its not to be doubted but they agree with him therein.

I neither pretend to be infallible, nor wise at all times; for I very well know that 'tis in man to err, & none lives without faults: but I dare affirm to yo^r Lordp^s that mine are of the Understanding, and not of the will: especially those concerning this his most sacred Majestys Government.

When his Majestys Affairs obliged me calling the Council, I have done it: but several times have not been able to get 3 of them together: So finding it absolutely necessary for his Majestys Service; I have called to my Assistance Major John Hammond who lives with in 3 miles of this place, is one of the Provincial Justices, and one of the Delegates for this County; with Cap^m Richard Hill, who lives just by the town, & is allso a Provincial Justice and Delegate: and sometimes M^r Thomas Tasker who lives from hence about 30 miles, and is one of the Provincial Justices also. If I had not called these Gentlemen: I must have been forced either to have left his Majestys Business undone for want of 3 of the Council; or must have done it with the Assistance only of one or two of his Majestys Council.

If what I have done herein, be not to yo^r Lordp^s Satisfaction: yet I hope yo^r Lordp^s will be pleased to grant me yo^r Pardon for it, as an intellectuall, and not a willfull Error: as allso for this very long letter: & that yo^r Lordp^s will be pleased to give me leave to assure yo^r Lordp^s that I must own myself to be

Yo^r Lordp^s most obliged,
obedient,
and faithfull humble Servant
Fr: Nicholson

Your Lordp^s having been pleased to send me a good Number of printed Proclamations prohibiting his Majestys Subjects betaking them selves to the service of foreign Princes and States, were extraordinary usefull and serviceable. So am an humble suppliant to yo^r Lordp^s that you would be pleased to

order that upon such occasions the like Number may be P. R. O.
sent to F: N:

[Endorsed.]

Maryland.

Letter from Colonel
Nicholson Gov^r of Maryl^d
dated the 20th of August
1698.
Receiv'd Nov^r 10th 1698.
Read . . . 18th

[Board of Trade of Nicholson.]

Whitehall Aug^t the 23th 1698

H. D.
P. 238

S^r

We have lately received by the hands of S^r Thomas Lawrence your Lre of the 28th of May together with the public papers mentioned in the Catalogues there inclosed. We have the less to write to you in Answer because his Maty haveing been pleased to appoint you to be Governo^r of Virginia Your Stay in Maryland will not be long your Comission for the Governm^t of Virginia was dispatched from us some while agoe and is now past the great Seale Your Instructions are under Consideration and will Speedily be also perfected when that is done we shall have many things to write to you relateing to that Governm^t But in the mean while what Chiefly make this Letter necessary in the Miscarriadge of ours of the 2^d of Sep^r last in which were some things relateing to Maryland which deserved to be Observed we therefore Send you here inclosed a Duplicate thereof together with a Copy of his Matys Letter therein mentioned, As also of the Order of Councill about the Boundaries between Maryland and Pensilvania and of M^r Penns Lre to M^r Markham upon the Subject Unto all which we refer our selves and remaine

Yo^r very Loveing friends

J Bridgewater
Ph. Meadows
John Polexfen
John Locke
Abr. Hill

Lib. X. At a Council held at the Port of Annapolis the 27th day of
p. 124 August in the tenth year of the reign of our Sovereign Lord
King William the third &^{ca} Annoq Dni 1698

Present

His Excellency Fra Nicholson Esq^r Cap^t Gen^l

the honble { Col^o Henry Iowles Chancellor
Major Iohn Hammond
M^r W^m Dent his Maj^{ty}s Soll^r Gen^l }

M^r Philip Clark being brought to Town in Custody of Robert Clark under Sheriff of S^t Marys County His Excellency is pleased to tell the said Philip Clark that he had sent for him because it appeared to him & his Majestys honble Council by many Depositions that he Iohn Cood Robert Mason & Gerr^d Sly had endeavoured to raise a disturbance in the Province even tending to actual Rebellion

And that it appeared by the Sheriffs return of the Præcept to him directed that he the said Clark had fled thereupon

M^r Philip Clark says that he did not fly he is told that he went into Virginia & says he was there about five or six days

M^r Clark being asked if he had been in Coods Company in Virginia says that he has & eat & drank with him at M^r Spencers in Virginia

Is asked if he surrendered himself upon his Excellencys Proclamation & says he did not

Is asked if he knows were Cood is now M^r Clark says he has not seen him since he was last in Virginia

And being asked if Cood was not at the General Court in Virginia says he thinks he heard him say he was

The said M^r Clark is told that the reason why his Excellency sent for him up so soon before the Court is not only to put an end to & prevent his raising further Disturbances & Comotions but to convince him & his Associates that he was to be taken by a warrant from his Excellency & that none of them were above the Law

p. 125 The said M^r Clark is asked if he never had any communication with one M^r Hunter a Iesuit says never but once

Produced & read a paper containing several Articles of Charge against his Excellency the Gov^r M^r Clark says it does not concern him but thinks he had heard Cood read such a paper.

And an Article Accusing his Excellency of Chambering & threatning the members of Assembly to make them comply with him

His Excellency is pleased to say that he did send for Clark because he understood he had a Letter from the Treasurer of

the western shore directed to the Assembly which was relating Lib. x.
to the Treasury and delayed to deliv^r it

M^r Clark says the Articles are not his nor do they Concern him

M^r Clark is told that he is required to enter into Recognizance with two Securitys himself in one thousand pounds Sterl & each of his Securitys in five hundred pounds Sterl to appear at the next Provincial Court & to answer what should be Objected against him on his Majestys Behalf in the mean time to be of good Behaviour

M^r Clark says that he has given security already in 40000^l Tob^o to a Capias at the Kings Suit & 40000^l Tob^o to a Venire & hopes he shall not be held to further Bail

It is observed to the said M^r Clark that the great Bail which p. 126 he pretends to be already held to is upon the Acco^t of his associate M^r Robert Masons sheriffs Bond for whom he was one of the Securitys, the said Bond being a Bond of 200000^l Tobacco for the due Execution of the said masons office and now assigned & prosecuted by M^r G Vansweeringen

And the said M^r Clark being asked who were his Bonds Securitys says M^r John Baptista Carbiny M^r Cæcilius Butler & M^r William Harpham & says they were the best he could get at S^t Marys County Court

Whereupon it is observed that M^r Carbiny is an Irish Roman Catholick & a man of little or no Estate Supposed to be much Indebted that M^r Cæcilius Butler is a known papist & is not known of any Visible Estate that he has [heard] that M^r Harpam is a person generally supposed to carry all his Estate about with him

M^r Clark being again asked if he had given any security upon his last Caption upon his Excellencys Proclamation & last warrant says he has not therefore is told that it not appearing either from S^t Marys County Court or the Sheriff of that County that any security was given there for his appearance to Answer &c^a at the next Provincial Court he is again as before required to enter into recognizance otherwise he is to stand committed to the custody of the Sher of Ann Arundel County & was accordingly committed

[P. Clark's Petition.]

Lib. H. D.

To the worshipfull Justices of St. Mary's County Court now sitting the humble petition of Philip Clark one of the Att^{rs} of this Court

Most humbly Sheweth unto Your Worships

That whereas your petitioners wife lyes dangerously ill Therefore most humbly prays your worships that all Causes

Lib. H. D. your Petitioner is Concerned in may be Continued till next Court and that y^r Petitioners appearance may be Entred in all Causes where there is Warrants or where the p^{rs}ons p^{rs}ent desire it

And as in Duty Bound shall pray

p. 218 M^r Beard

I find there was a Mistake in the Last account I sent up I haveing not Examined it by reason of the infirmity I then lay under but I have here inclosed Bills of Exch. for the full Balance of what I have in my hands of the Countrys money and God willing as Soon as I come up to Court Shall Satisfy you the rest of your dues for hope by that time shall have accounted wth Some of the Navall Officers the Sume I have now sent you is 23^{lb} 13^s 02^d which with 350^{lb} 13^s 07^d which is the Iust acc^t I have paid makes in all 374^{lb} 6^s 9^d I am S^r

Yo^r humble Serv^t
Robert Mason

Aug^t the 18. 1698.

M^r Richard Beard

S^r I have sent to Coll Low for the Countrys Acc^t Two Bills of Exchange Amounting to fifty pounds Eight Shills and nine pence whereof there is Three and Twenty pounds for Major Hammond and Major Dorsey the Trustees for the work of the State house the rest keep to Your Selfe till I see you att the Provinciaall Court my kind respect to you I am Yo^r friend to Serve you

Ro: Mason

M^r Rich^d Beard Debt^r

To Jonathan Scarfe Bills for	40	11	06
To Iohn Rowland Bills for nine	09	17	03
	<u>50</u>	<u>08</u>	<u>09</u>

Is Cred^r

By money Ordered you to pay Maj ^r Hamōnd & Maj ^r Dorsey	23	00	00
By the halfe of 45 ^l 08 ^s 04 ^d Ordered you by the Comittee that Layd the Leavyes	22	14	02
By the halfe of Seaven pounds Twelve Shillings Ordered you by the Comittee of Acc ^{ts}	03	16	00
	<u>49</u>	<u>10</u>	<u>02</u>
Ballance due to Robert Mason	00	18	07

S^r I find Cap^t Hill and others are allowed money which is Lib. H. D.
ready upon Demand Sending me Order these Bills are the
nearest to Comply with you and Maj^r Hamōnd as I have
Therefore Desire you to Contrive it between your Selves

Province of Maryland Deb ^r		p. 119		
		^l	^s	^d
To money paid Io ^a Perry now this {				
Assembly as p receipt 50 00 00 }	50	00	00	
To Bills Ordered his Ex ^{ty} 110 00 00	110	00	00	
To m ^o ordered S ^r Thom: Laurence	32	05	02	
To m ^o Ordered M ^r Thomas Cockshutt one {				
of the New Ministers }	20	00	00	
To m ^o paid more by Assignem ^t of Maj ^r {				
Willm Dent }	05	00	00	
To m ^o p ^d his Ex ^{ty} p Order of M ^r Tench	09	00	00	
To M ^r Dents Order Ditto	09	00	00	
To p ^d his Ex ^{ty} for Coll Bayard	07	13	07	
To p ^d his Ex ^{ty} for protest of ditto money	03	04	00	
To m ^o p ^d the Trustees for work of the State				
house	23	00	00	
To mo ^r p ^d M ^r Beard in Bills	50	03	04	
To m ^o p ^d M ^r Perry	50	00	00	
To M ^r Phillip Davies Bills ptested which {				
had of M ^r Phillip Clark Nav ^l Officer }	05	00	08	
which I Accounted with the Comittee {				
for the Bill and protest }				
	<u>374</u>	<u>06</u>	<u>09</u>	

p Contra Cred ^r				
By Ballance due to the Province when I {				
last accounted with them Iune the 1 st }	374	06	09	
1697				

Port of Annapolis
August the 29th 1698

Lib. X.
p. 127

Council Sate

Present

His Excellency the Governor

the honble	{	Coll ^o Henry Iowles Chancellor	} Councillors
		Thomas Tench Esq ^r	
		Maj ^r Iohn Hammond	
		M ^r W ^m Dent	} his Matys
		M ^r Geo Plater	
		M ^r Rob ^t Gouldsborrough	Council at Law

M^r Robert Mason of S^t Marys County appear^d at the Board

Lib. X. seeming to be in perfect health speaking well & standing about half an hour without leaning

His Excellency tells him he is fully perswaded that he has most hyocritically dissembled Imbecility & Sickness the better to colour his Contempts of several warr^{ts} & præcepts from his Excellency & this Board requiring him to come up to the port of Annapolis

His Excellency tells him that he understands that he the said Mason hath had several consultations with M^r John Cood & that held his Cabals at M^r Slys against this his Majestys Gov^t & that it had appeared upon oath that he the said Mason was able to ride to M^r Slys & to ride back at a great speed tho the said Mason had always pretended himself altogether incapable to Come up to Annapolis to do his duty & pass his Acco^t as Treasurer of the Western shore

M^r David Krieger & M^r Zachary Allen Chirurgeons being sent for came & were sworn to make a true Report according to the best of their Iudgment whether riding on Horse Back would endanger the said Masons health who report as followeth Viz^t

p. 128 To ride on horseback a great way would have been very troublesom if not very dangerous but to ride on horseback could not endanger his Life

David Krieger D^r
of the Iohn & Thomas
Zach: Allen

Whereupon the Sheriff of Ann Arundell County was Ordered to get an horse for M^r Mason to ride round the Town & then to bring him again before this Board

Where being brought the said Dⁿ say that he has sustained no damage

M^r Mason is told that his Excellency has recd a Complaint against him made by M^{rs} Mary Denton Wid^o & relict of M^r Henry Denton late Clerk of the Council dec'd for that he the said Mason had sold her late husband in his Life time one Negro man slave a white Woman & Mulatto Child which said Child by the Law of this Province then was & now is a Servant belonging to the Ministry of King William & Queen Mary parish in S^t Marys County until it should arrive at the Age of thirty one years & that she the said M^{rs} Denton was threatned by the principal Vestryman of that Parish to be Sued for the same

His Excellency is pleased to ask M^r Mason if he is not & was not a Vestry man of that parish when he sold the said Negro, white woman & mulatto Child who says he was & is one of that Vestry

His Excellency further asked him if he did not take the Lib. x. oath of a Vestry man which the said Mason says he did

Whereupon he tells him that he has forsworn himself & the p. 129 Law relating to Servants & Slaves being read

Ordered that his Majestys Lawyers prosecute the said M^r Robert Mason for such his breach of Oath

His Excellency tells M^r Robert Mason that he understands he takes upon him to correct Ministers because they do not preach such doctrines as are pleasing to him but what serves to reprove vice & asks the said Mason if he has any power of a Bishop

And a warrant to the Sheriff of Anne Arundel County being prepared requiring the said Sheriff to take him into his Custody till he gives bond for his appearance & to Answer at the next Provincial Court in 2000^l Sterling himself in 1000^l Sterl & 2 securitys each in five hundred a piece being read & approved of was delivered to the Sheriff who took the said Mason into his Custody

Monday Evening Aug^t 29th 1698

The Council Sate & were present as on saturday last

M^r Robert Mason being brought before the Board is Shewed several Acco^{ts} by him exhibbitted of the publick Treasury on the western shore from the year 1696 to this present time which he owns to be his

His Excellency is pleased to ask M^r Mason if he has made up his Acco^t with the Reverend M^r Peregrine Cony who officiated in the cure of William & Mary parish M^r Mason says the Vestry have made up their acco^{ts} with him

M^r Mason is told that he must produce Vouchers for the several Payments he has made out of the Publick Treasury otherwise his Account will not be allowed of—

Ordered that M^r Gerrard Sly of S^t Marys County be Sent p. 130 for who appearing at the Board is asked whether he never sent any Articles of Charge against his Excellency the Gov^r to pensylvania or not says no

But being further asked says M^r Cood gave him some Articles which he gave to a person who promised to send them to M^r Penn & that he had sent them to the Secry of State & my Lord Tankerville as he promised is asked if he pretends to prove any of those Articles says no he is a stranger in the Country & that they are not his but M^r Coods Articles

And the said Articles being read to him Ordered that the Clerk of this Board issue the same order to enable him to prove these as was ordered upon the former ones

Lib. X. M^r Philip Clark appearing his Excellency tells him that it is sworne the said Clark should report M^r John Cood said he had murdered or made away with M^r Henry Denton late Clerk of this Board for that the said Denton was a material Evidence for the King M^r Clark says he did not say so

He & Sly are Commanded in his Majestys name to declare if they have any Body or can themselves prove any of the Articles now read

If they can they are Commanded in the Kings Name to prove them before the provincial Court and his Excellency will send summons for the persons they name to be brought before the provincial Court & the Iustices shall send their Depositions to the Secry of State under their hands & seals

Memd that a Copy of this his Excellencys offer was Delivered them by the Clark of this Board so by him signed

p. 131 M^r Clark say he conceives those Articles only concern the Persons that are the Authors of them, and do not concern him

And being asked why he did not prove his petition to S^r Edm^d Andros says he could prove every article in that petition but one

His Excellency is pleased to tell him that if he can prove it he will forgive him

Ordered that M^{rs} Mary Denton go before some of his Majestys Iustices of the provincial Court & upon Oath give an Acco^t to the best of her knowledge what her Husband M^r Denton died of

Joseph Venours Deposition read giving relation that on the day sett apart by his Excellencys Proclamation for a fast he heard M^r Gerrard Sly say that he went not to church when the Devil proclaimed a Fast

August the 30th 1698

The Council again Sate

Present

His Excellency the Cap^t Gen^l &c^a

the honble	{	Coll ^o Henry Iowles	Chanc ^r }	{	Esq ^r Iustices of the Pro- vvincial Court }	
		Thomas Tench Esq ^r				
		Rob ^t Smith	}			
		John Hammond				}
		Tho Tasker				

Then came Robert Mason & made Oath to his Acco^t of publick Treasury on the Western Shore

The said Mason also made oath to a List of Bills of Exc^t amounting to 55^l 19^s 6^d delivered by him to M^r John Perry decd by his Excellency the Governors order

M^r Orlando Greenslade appearing brings one of the Lib. x.
Mariners belonging to the Ship Dolphin of Biddiford whereof p. 132
Stephen Harris was Master & says that the master is lately
dead as also the mate & that the Ship is loaden & ready to
sail but that there is but one man capable to carry her home
whereupon his Excellency with the advice of this Board is
pleased to direct that the said ship be brought to this Port &
then further care will be taken herein

Upon motion of Geo Plater & W^m Dent Esqⁿ his Majestys
Attorney & Soll^r Gen^l Ordered that the following Certificate
be delivered them viz^t

To his Majestys Iustices of the Prov^l Court These may
Certify you that upon examination of diverse matters that
have appeared to this Board it has been thought necessary for
his Majestys Service & for the good & quiet of this province
to order his Majestys Attorney General to issue process out
of his Majestys Provincial Court against Gerrard Sly, Philip
Clark, Rob^t Mason; Anthony Bowles, Samuel Brock, Walter
Smith Benjamin Hall, the Iustices of S^t Marys Calvert & Dor-
chester Counties for several Offences & Misdemeanors against
the Laws of England & this Province which you are hereby
required to order the said Atty Gen^l to prosecute that the
same may by you be heard & Determined according to Law

Came Cap^t James Keech & made oath before the honble
Rob^t Smith & Tho Tasker Esqⁿ that he did deliver unto
Thomas Tasker Esq^r a sett of Bills of Exc^o payable to the Said
Tench for fourty two pounds ten shillings sterl

Porte Annapolis Aug^t the 30th 1698

Lib. H. D.

Then Came before his Ex^{ty} in Councill R^o Mason of S^t Marys p. 219
County gent Treasurer for the Westernne Shoar and made
Oath to the above Acc^t as a just & true Acc^t of all money
reced & disbursed by him

W

Errors & Omissions Excepted p Rob^t Mason

July the 28th 1698

Then Reced of George Plater one Letter directed to the
hon^d Cap^t Peter Paggen Merch^t in London reced by me
Barth^o Whithorne

August the 23^d 1698

Then reced of George Plater from his Ex^{ty} the Gov^r one
Letter directed to M^r Isaack Millner att the hon^d Cap^t Peter
Paggen Merch^t in London

Danⁿ Watts

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Lib. H. D.

August the 30th 1698

Then Reced of Rich^d Beard Sherriffe of Ann Arundell County 9 fusies 9 slung ditto 3 worms one Long shott mould 9 Cartouch boxes 9 Neats Leather belts 5 bright hatchetts 3 black hatchetts 4 hand bills one boudge barrell Eleaven Granada shells Eleaven fusies for them for the use of Calvert County I say reced p me

Testis
Chrs. Gregory

Hen: Michell

August the 30th 1698

Then reced of Rich^d Beard Sherriffe of Ann Arundell County 9 fusies 9 slung ditto three worms 1 Long shott Mould 9 Cartouch boxes 9 Neates leather belts five bright hatchetts 3 black hatchetts 4 hand bills 1 boudge barrell Eleaven Granada shells Eleaven fusies for them All in order to be delivered to Coll Hen: Low Shffe of S^t Mary's County I say reced p me

testis
Chr Gegory

Henry Michell

Lib. X.

p. 133

September the 1st 1698

The Council Sate

Present

His Excellency the Captain General

the honble	{	Col ^o Henry Iowles Chanc ^r	} of his Majestys		
		Iames Frisby Esq ^r		Council at Law	
		M ^r Rob ^t Gouldsborrowh			
		Cap ^t Iames Keech			} Iustices of the Provincial
		Cap ^t Philip Hoskins			
Cay ^t Iohn Hawkins					

And the following Depositions being read viz^t

September the 1st 1698

Col^o Robert Quarry being sworn upon the holy Evangelists saith that being in the Court house in one of the Gallerys this day when M^r Gerrard Sly was upon his Tryal in the same Gallery he observed several young Gentlemen who seemed to favour the said Sly & heard one M^r William Iosephs Iunior after that Cap^t Richard Hill one of his Majestys Iustices of the provincial Court had declared his sentiments thereon say that he had made a Florid piece of Stuff without a word of Law in it whereupon the Deponent told him that he thought neither the said Iosephs nor himself were fit Iudges whether the Court

spake Law or not after which in a little time after the said Lib. X.
Iosephs went out of the Gallery & further Saith not

Robert Quary

Iur Coram me die et

An pd

Robert Smith

p. 134

His Excellency is pleased to lay before the Gentlemen present the Contemptuous practices of such persons & tells them that if they will Suffer themselves to be so abused yet he must take Care to prevent it

Whereupon advised that in regard the said M^r Ioseph's seems to be a person disaffected to this his Majesty's Government that the oaths appointed by act of Parliament be tendred him

And the said M^r Iosephs being brought before the Board in the Custody of the Sheriff of Ann Arundel County is asked what Occasion he had to make Such Reflections upon the Court & the oaths being tentred him he refused to take them Saying that it was his opinion that if he took those oaths he renounced his God

September the 2^d 1698

The Council again Sate

Present

His Excellency the Captⁿ Ceneral

the honble { Col^{le} Hen Iowles Chancellor
Thomas Tench Esq^r
James Frisby Esq^r
George Plater } Esq^{rs} Atty & Soll^r Gen^l }
Will^m Dent }

Then read the petition of the Commsrs of Prince Georges County who now lye under presentment for Levying more Tobacco in their County then by Law Impowred

And the said Gentlemen having submitted themselves & p. 135
praying that a Nolle prosequi might be entred upon the prosecution against them

And his Majestys Lawyers being asked their Advice say his Excellency if he pleases may order a Nolle Prosequi to be entered & that the Law will oblige the Sheriff & Clark of the County to refund the Tobacco so to them allowed

Ordered a Nolle prosequi to be entered thereon Lieu^t Col^{le} Henry Low high Sher of S^t Marys County appearing is asked if he recd any Criminals from M^r Robert Mason late high Sheriff of S^t Mary's County says he rec'd none

Lib. X. Ordered that the Attorney General inquire into this matter & whether M^r Robert Mason did not receive Fees in Governor Copleys time for the said Criminals

Lib. H. D.

Porte of Annapolis 7^{br} 1st 1698

p. 220 Reced from Cap^t Iunifer by Order of his Ex^{ty} ffrancis Nicholson Esq^r Cap^t gen^{ll} and Govern^r in Chiefe of his Matys Province of Maryland the full Contents of the within Acc^t see a receipt in fol. 215 Excepting 1 Cartouch box Witness my hand the day & year Aboves^d

Jo^a Hynson

[Naval Officers Bonds.]

Know all men by these p^rsents that we John Bozmane of Somersett County gent William Round & Peter Dent gent are holden and firmly bound unto his Ex^{ty} ffrancis Nicholson Esq^r his Matys Cap^t gen^{ll} and Gov^r in Chiefe of this Province in the full and Just sume of one Thousand pounds of good and Lawful money of England to be payd to the s^d ffrancis Nicholson Esq^r his Ex^{ty} Admⁿ or Assignes to the which paym^t well and truly to be made we bind our selves & either of us our & either of our heires Ex^{ts} & Admⁿ Jointly & Sev^rally for the whole & in the whole firmly by these p^rsents Witness our hands & seales the 2^d day of 7^{br} 1698

The Condition of the above written Obligation is such th^t whereas his Ex^{ty} ffrancis Nicholson Esq^r Afores^d hath Comissionated and Appointed the s^d John Bozmane to be Navall off Pocomoke in Sumersett County within the s^d Province by his Comission bearing Equall Date with these p^rsents now if the s^d John Bozmane shall well and truly p^rforme the s^d Office according to the Sev^rall Acts of Parliam^t in that case made and provided and shall Observe the directions Contained in the Acts of Assembly in this Province relating to the Duty of Navall Officers And from time to time Save defend and keep harmless the s^d ffrancis Nicholson Esq^r from all Damages Loss and Charges that the s^d ffrancis Nicholson shall Susteine att any time by reason of the s^d Bozmanes non p^rformance of his s^d Office so long as he shall enjoy the Same as is in the s^d Severall Laws Enacted and Ordained Then this Obligacōn to be Voyd & of none effect or else the same to be and remaine in full force and Virtue.

Sealed & Delivered
In the p^rsence of
John Morrough
Fo: Thomas

John Bozman	[Seal]
Willm Round	[Seal]
Peter Dent	[Seal]

Nov'int univ' p p'sentes nos Johannem Bozman de Comt. Lib. H. D.
Sumersett gen. Guliel Round et petrum Dent gen^{ros} Teneri et
firmtr Obligari honbus Com^{bus} Customar in Anglia pro tempe
p'sente in plen et Iust Sumā duar Mill Librar bone & Legalis
Monet Anglia solvend eisd honbus Comiss^{bus} aut Suis Cert.
Attorn vel assignat suis ad quamquid Solucone bene et fidlr
faciend Obligamus nos & quembet nrum p se pro toto et in
solido hered Ex^{res} & Adm^{res} nros firmtr p p'sentes Sigillis nris
Sigillat Dat apud Port Annapolis 2^d die mensis 7^{bris} ano Regni
Suprem Dni nri Gulili 3^{us} Dei Græ Angliæ Scotiæ ffranciæ &
Hiber Regis fidei Defensoris &c Decimo Annoq Dni 1698

The Condition of this Obligation is such that Whereas the
above Named John Bozmane is by his Ex^{ty} ffrancis Nicholson
Esq^r Cap^t gen^l and gov^r in Chiefe of his Matys province of
Maryland and Territorys thereto belonging Appointed and
Commissionated to be Nav^l Officer of the District of Pocomoke p. 221
according to the direction of a Certeine Act of Parliam^t
Intituled An Act for the encouragem^t of Trade made in the
fifteenth year of the reigne of our late Soveigne Lord K:
Charles the 2^d of blessed memory Now if so be the s^d John
Bozmane shall well and faithfully pforme his Duty in the said
Office in all things thereunto relateing then this Obligation to
be Voyd & of none effect or else the same to be & remaine in
full force power and Virtue

Sealed & Delivered
In the p'sence of
Io^a Morrogh
Fo Thomas

John Bozman [Seal]
Willm Round [Seal]
Peter Dent [Seal]

Nov'int Univ'si p p'sentes nos Thomam Collier gen Henri-
cum Iowles & Robtum Smith Arm^{ros} teneri et firmtr Obligari
hon^{bus} Comiss^{bus} in Anglia pro tempore p'sente in plen et
Iusta Suma duar Mill Librar bone et Legalis monet Anglia
Solvend eisd hon^{bus} Com^{bus} Aut Suis Cert Attorn vel Assignat
Suis ad quāquid Soluconem bene et fidlr faciend Obligamus
nos et quembet nrūm p se pro toto et in Solido hered Ex^{res} &
Admres nrōs firmtr p p'sentes sigillis nris Sigillat Dat apud
Port Annapolis 30^o die mensis 10^{bris} Anno Regni Suprem dni
nri Gulili Tertii Dei grā Angliæ Scotiæ ffranciæ Hib: Regis
fidei defens &c Anoq Dni 1697

The Condition of this Obligation is such that whereas the
Above named Thomas Collier is by his Ex^{ty} ffrancis Nicholson
Esq^r Cap^t gen^l & Govern^r in Chiefe in and over his Matys
Province of Maryland and Territorys thereunto belonging
Appointed and Comissionated to be Nav^l Officer of William
Stad^t according to the Direction of a Certeine Act of Parliam^t

Lib. H. D. made in the 15th Year of the reigne of our late Sov'eigne Lord K: Charles the 2^d of blessed memory Intituled an Act for Encouragem^t of Trade Now if so be the s^d Thomas Collier shall well and faithfully pforme his Duty in the s^d Office in all things thereto relateing them this Obligation to be Voyd and of None effect or else the same to be and remaine in full force and Virtue

Sealed and Delivered
In the presence of
Iohn Hammond
Rich^d Hill

Thomas Collier [Seal]
Hen : Iowles [Seal]
Robert Smith [Seal]

p. 222 Maryland ss Nov'int univ'si p p'sentes Nes Withm Dent Thomam Tench et Georg Plater Armigeros teneri et firmtr Obligari hon^{bus} Com^{bus} Coustomar in Anglia pro tempore p'sente in plen et Sum duar Mill Librar bone et Legalis monet Anglia Solvend isdem Comiss^{bus} aut Suis Cert Attornat Vel Assignat Suis ad quā quid Solucōnem bene et fidlr faciend Obligamus Nos et quembet nrūm p se pro totc et in Solido hered Ex^{res} et Admres nrōs firmtr p p'sentes Sigillis nris Sigillat Dat apud Portu Annapolis Tricessimo die mensis Iunii Anno Regni Suprem Dni nri Gulili 3^{ius} Dei grā Angliæ Scotiæ ffran et Hibern Regis fidei Defensoris &c Decimo Annoq Dni 1698

The Condition of this Obligation is Such that whereas the the above named William Dent is by his Ex^{ty} ffrancis Nicholson Esq^r Cap^t gen^{ll} and Govern^r in Chiefe of his Matys Province of Maryland and the Territorys thereto belonging Appointed and Comissionated to be Nav^{ll} Officer of Potomoke District according to the direction of a Certeine Act of Parliam^t Intituled an Act for the Encouragem^t of Trade made in the 15th Year of the reigne of our late Sov'eigne Lord K: Charles the Second of blessed Memory Now if so be the s^d William Dent shall well and faithfully pforme his Duty in the said Office in all things thereunto relateing Then this Obligation to be Voyd and of None effect or else the Same to be and remaine in full power force and Virtue

Sealed and Delivere'd
in the p'sence of
Henry Iowles
Iames ffrisby
Thomas Tasker

William Dent [Seal]
Thomas Tench [Seal]
George Plater [Seal]

p. 223 ffrancis Nicholson Esq^r Cap^t gen^{ll} and Gov^r in Chiefe in & over his Matys Province of Maryland & Vice Admirall of the Same to John Bozmane gent greeting

John Bozman
Comission of
Navll Officer
for Pocomoke
District

Haveing Speciall Trust and Confidence in your Lib. H. D.
fidelity Knowledge & Circumspection I do hereby
nominate appointe and Constitute you the said
John Bozmane to be Navall Officer of the district
of Pocomoke in Sumersett County within the said Province of
Maryland hereby Giveing and granting unto you the s^d John
Bozmane full power and Authority to Act do pforme and
Execute and and Singular the Lawful powers and Authorities
and other things whatsoever Incident to the s^d Office of Navall
Officer afores^d And to take and receive to your own proper
use and benefitt all Such Lawful fees pquisites & Advantages
as to the Said Office do in any wise apperteine. To have and
to hould the Same dureing pleasure Given att the Town and
Porte of Annapolis under my hand and Seale this 2^d day of
September in the Tenth year of the reign of our Sov^eigne
Lord King William the third of England &c. Annoq Dni 1698
ffra: Nicholson

Maryland Porte of Annapolis

By his Maty Iustices of the Prov^l Court Sep^{ber} 10th 1698.

Haveing pused a Certeine Act of Assembly made in the
province of Pensilvania Intituled An Act for preventing frauds
and Regulateing abuses in Trade within that Province of
Pensilvania and Countyes annexed.

We are of Opinion that the said Law is alltogether repugnant
to the Severall Acts of Trade and Navigation and Especially
the late Act of Parliam^t in the 7th and 8th years of his p^sent
Matys Reigne King William the third &c And th^t if that
practice should be Continued and allowed of there It will
much prjudice his Matys Service in giveing so much Liberty
there and will give occasion to all falce traders to resorte
thither and the Traders in that Province will have that Liberty
given them which we here and other his Matys Plantations
&c are precluded of and occasion decay in Trade here p. 224

Robert Smith
Thomas Tasker
Thomas Staly
John Pollard
John Hawkins
John Thompson
John Hammond

Lib. X.

September 3 1698

The Council Sate

Present

His Excellency the Cap^t Gen^l &c^a

the honble	{	Coll ^o Henry Iowles Chancellor	} Esq ^r Jus-		
		Thomas Tench & James Frisby Esq ^r		tices of the	
		Robert Smith, John Hammond			Prov ^l Court
		Tho Tasker, James Keech, Tho Staley			
John Thompson & In ^o Pollard					

p. 136 M^r William Hemsley having presented to his Excellency a manuscript containing useful remarks as to the Proceedings in the provincial & County Courts in this Province & having prayed that it might be imprinted his Excellency recommends it to his Maj^{ties} Iustices of the Provincial Court & Council at Law for their perusall & opinion & recommends him for bestow^e his endeavours for the benefitt of his Country

Charles O'Quigleys Petition complaining agst M^r William Harris of Cæcil County read & referred to his Majestys Iustices of the Provincial Court to Examine therein

The Petitionary Letter of M^{rs} Elizth Coursey complaining against M^r William Hemsley for using some disingenuity about a Tract of Land left to Col^o Coursey's Youngest son but one read

And M^r Thomas Coursey & M^r W^m Hemsley being sent for Came

And M^r Hemsley says that if any person will enter into sufficient Bond to secure him he will now Submit the matter to Arbitration again

The answer of Coll^o Ennals & Major Hicks to the Chop-tank & Nanticoke Indians Complaint against Coll^o Cha Huchins & Nehemiah Covington read & referred to further considerations

His Excellency is pleased to say that he has been told that M^r Gerrard Sly upon his Tryal yesterday taxed the Kings Evidences with means used to Suboarn them & that he offered M^r Philip Clark to prove nine Articles against him

p. 137 Therefore proposes the said Sly be this day brought before the provincial Court in order to be Examined thereon to Satisfy the Country & that M^r Cheseldyn be Summoned which is advised & ordered accordingly

September the 4th 1698

Lib. X.

The Council Sate

Present

His Excellency the Cap^t Gen^l &c^a

the honble	{	Coll ^o Henry Iowles Chancellor	}	Iustices of the Prov ^t Court
		Thomas Tench & Ia ^s Frisby Esq ^{rs}		
		Rob ^t Smith, Richard Hill,		
		Thomas Tasker, In ^o Pollard,		
		Iohn Thompson & Ia ^s Keech		
		Geo Plater Esq ^r Atty Gen ^l		
		W ^m Dent Sollic for Gen ^l		
		Robert Gouldsborrough	}	of his Majestys Council at Law

His Excellency tells the Gentlemen that the reason he has now sent for them is for that he hath recd a Petition from M^r Gerrard Sly which is read as followeth viz^t

To His Excellency Francis Nicholson Esq^r Captain General & Governor in Chief in & over this his Majesty's Province And Territory of Mary^l^d

The humble petition of Gerrard Sly

Sheweth

That he looks upon it as one of the greatest Misfortunes of his life to be brought under the Circumstances he at present lyes under in as much as thereby he is found guilty of abusing & reviling a person not only dignified with the Character which your Ex^{cley} bears in this Province under his Sacred Majesty but likewise a person whose care prudence diligence & Circumspection has brought the frame of this Government to Such a perfection and promoted acts of Iustice & piety to that degree that may lustly deserve the affections & prayers of your Excellencys long Continuance in the Government of all persons well affected to their King & Country

p. 138

And as your Excellencys humble Petitioner from the Bottom of his heart is sorry not only for his said Misfortunes but also for the Offence given your Exc^{ty} So he Sincerely promise never again to give the least Occasion either by Keeping Company with any disaffected person or persons to your Excellency or otherwise of his falling under your Excellencys displeasure & this as he is a Christian does declare that none of his Actions were ever thought or Intended to stir any manner of Comotion in your Excellencys Gov^t & hop^s this being his first Crime against your Excellency that you will be so favourable to extend your Clemency so far towards him

Lib. X. as he is well Satisfied your Excellency has heretofore done to a person in the same or worse Circumstances he humbly leaves himself to your Excellencys mercy which if granted him shall be for ever bound to pray for your Excellencys long life & prosperity

Gerard Sly

I acknowledge the evil of these Actions to be as well against the Gov^t as against your Excellency

Gerard Sly

p. 139 To his Excellency Francis Nicholson Esq^r Cap^t Gen^l & Gov^r in chief of this his Majestys Province of Maryland most humbly present

These

His Excellency is pleased to say that he takes M^r Sly's Offence to be as well against the Government but if he thought it only against himself he would have Scorned to have kept him in prison half an hour but that his Majesty having intrusted the Government to him he must study the peace & welfare thereof therefore desires them to advise him what to do in this matter

Whereupon the Gentlemen present upon due Consideration to advise his Excellency that in regard the said Sly is an utter stranger to the affairs of this Country tho Born in it he having been so long absent in England & has been drawn in by his Father in Law Iohn Cood & seems to be heartily Sorry for his offence would be something favourable to him in remitting some part or all of his Imprisonment but however that this Petition be not accepted of without further discovery upon Oath for that the offence seems to be against the Gov^t as well as his Excellency & ought by the Petitioner to have been so expressed in his Petition

p. 140 Therefore advised that unless the said Sly do make a full & Satisfactory discovery & deliver up all Papers & asks the Courts pardon for his reflections on them & especially Captain Hills the Iudgment be put in Execution & that he be Imprisoned but that he be acquainted with the result of the Board & that upon Conform^e himself thereto & giving Security to answer to the other Presentment at the next Provincial Court & in the meantime to be of good Behaviour that his Excellency is inclinable to remit the Imprisonment due to his Offence Ordered that the Clerk of this Board make him acquainted herewith Produced & read the following Representations of the Iustices & Grand Iury relating to M^r John Cood being harboured & Entertained in Virginia viz^t

Maryland Ss

September the 2^d 1698 Lib. X.

We his Majestys Iustices of the Provincial Court whose Names are hereto subscribed do find that there have lately been many disturbances & comotions raised within this Province by Iohn Cood Sen^r late of S^t Marys County & we are obliged to declare our Sentiments thereupon that if his Excellency Sir Edm^d Andros Kn^t his Majestys Lieu^t & Gov^r General of Virginia had taken due care upon the several applications to him made from this Gov^t to have had the said M^r Cood Apprehended & secured & delivered up to Iustice in this Province the same had not happened but the defect therein is the occasion of these disturbances and comotions being raised & set on foot by the said Cood & several other persons who bragged of their security in Virginia

Robert Smith	Thomas Slaly	} Justices
Richard Hill	Iohn Thompson	
Thomas Tasker	Iohn Hammond	
Iohn Pollard	Iohn Hawkins	
James Keech		

Maryland Ss/

At a Provincial Court held at the

p. 141

Port of Annapolis the 2^d day of 7^{ber} 1698

We the Grand Iury for the Body of this Province do find that there hath been lately much disturbances & Comotions raised by M^r Iohn Cood Sen^r late of S^t Marys County within this Province & we do Conceive that if S^r Edm^d Andros Kn^t his Majesty Lieu^t & Governor general of Virginia had taken due care to have had him apprehended & delivered up to Iustice in this Province the same had not happened but the defect therein is the great occasion of those disturbances & comotions being raised & set on foot by the said Cood & several other persons who brag of their security in Virginia

William Turlo	Iacob Gibson	} Grand Jurors
Henry Hardy	Robert Fenos	
Thomas Rieves	Abraham Taylor	
Andrew Parker	Iohn Wiatt	
Samuel Handy	Tho Homewood	
Samuel Howard	William Hollis	
Christopher Bean	Iohn Manying	
Richard Iones	Thomas Coursey	

Advised that a proclamation be issued to satisfy the minds of the people & that the two addresses to his Excellency

Lib. X. from the Iustices of the Prov^l Court & the Grand Iury be made publick

p. 142 Advised that his Excellency will be pleased to write to his Excellency S^r Edm^d Andros Kn^t his Majestys Lieu^t & Governor General of Virginia to send him the presentment against Cood now found by the Grand Iury & to press him to take care to apprehend him & Deliver him up upon the Borders of this Province to this Government by which upon notice care will be taken to receive him

September the 5th 1698

The Council Satt

Present

His Excellency the Cap^t Gen^l &c
the honble { Coll^o Henry Iowles Chancellor
Thomas Tench & James Frisby Esq^r
Rob^t Smith & Tho Tasker Esq^r } Iustices

Mr. John Bozmane appearing at the Board is by his Excellency Commissionated Navall Officer of the District of Pocomoke takes the Oaths of Allegiance &c^a Signs the Test also takes the oath for increase of trade appointed by the late Act of Parliam^t for preventing frauds & regulating abuses in the plantation trade

M^r William Harris appearing according to Recognizance & M^r Vanderhaydens & several other Depositions read relating to some words spoken by Esq^r Frisby that he heard M^r Harris should say

Also Mr. Thomas Church who was Summoned at the request of M^r William Harris declaring that to the best of his knowledge he does not know of any Discourse John Willis had with his wife

p. 143 And the Declaration of M^r Charles Bass of Cæcil County being against Esq^r Frisby

His Excellency is pleased to observe that none of the Depositions do affect the said Esq^r Frisby except M^r Basses & tells M^r Bass that he has heard such a Character of him viz^t that he questioned whether there was a God or not that he can give no credit to him

And his Excellency is further pleased to say that he will not pretend to try the matter but will leave it in the hands of the Kings Lawyers who are ordered to prosecute the same

Ordered that M^r Plater pay M^r Dan^l Peirce for Officiating as riding Surveyor at the head of the Bay from the 5th of March 1695/6 to the 24th 10^{ber} 1697 twenty two pounds Sterl being after the rate of 12^l p Ann accord^s to agreement

September 6th 1698

Lib. X.

The Council Satt

Present

His Excellency the Cap^t Gen^l &c

the honble { Coll^o Henry Iowles Chancellor
Thomas Tench Esq^r
Iam^s Frisby Esq^r }

The following Letter to his Excellency S^r Edmund Andros Knight his Majestys Governor of Virginia read & approved of viz^t

Annapolis the 6th of Sept^r 1698

Sir

I Received your Excellencys Letter by Joseph Man of the p. 144
13th of July last wherein your Excellency does offer that you will endeavour to support this his Maj^{ty}s Government & prevent all Combinations against it

I have by the Bearer hereof M^r Thomas Merrywether inclosed sent your Excellency a Transcript of a Bill of Indictment against Mr. John Cood now found by the Grand Iury have also sent you Copys of the Representations of his Majestys Iustices of the Provincial Court & the Grand Iury relating to the said M^r Cood & the late troubles & Comotions by him raised & set on foot within this Province upon which Occasion I am obliged with the advice of his Maj^{ty}s honble Council within this Province to press your Excellency once more that you will take such Effectual Care that the said Cood may be very speedily apprehended and delivered up to Iustice here for the prevention of further disturbance & for securing the peace of this his Majestys Province therefore desire your Excellency that he may when apprehended be delivered to the hands of Coll^o Iohn Courts one of his Majestys honble Council within this Province residing in Charles County upon Potomack River or otherwise upon notice given Care will be taken to send for him in doing whereof your Excellency will do great Service to his Majesty & this Country I am

Your Excellencys humble

To his Excellency S^r
Edm^d Andros Kn^t his Maj^{ty}
Lieu^t & Gov^r Gen^l of the
Collony of Virginia

Servant
Fra Nicholson

These

Read the Petition of Iohn Rockhold of Ann Arundel Coun- p. 145
ty for remittance of a fine of five hundred pounds of tobacco which upon sufficient reason shewn is remitted.

Lib. X. Coll^o Mitchell having told his Excellency that one of his men had sold a sword

Ordered that enquiry be made after the arms the men had to the Fort at Potomack

Them Came M^r Samuel Watkins naval Officer of Putuxent & made oath to two lists of Shipping

Ordered that as soon as Captain Tanner & Captain Emms are cleared that M^r Watkins & M^r Jennings send their Lists; no more being expected this year & that M^r Watkins swear to his lists before Captain Keech & send it by Emms or Tanner

Ordered that the Clerk give notice of that the Court of Appeals & Writs of Error will sit on Tuesday next

And that he write to the honble Coll^o John Addison & Thomas Brooke Esq^r to come to the Council against that time

Ordered that the late Sheriffs of Talbot & Somerset Countys take care to have the publick Tobacco ready against the next assembly to be paid as by the Assembly shall be directed

Coll^o Thompsons & M^r Vanderhaydens &c^a representation Journal of their proceedings with the Shevanore Susquehannah & Delaware Indians read and approved of & the said Indians present to his Ex^{lcy} the Governor Consisting of five
p. 146 Deer Skins two Belts of Wampum 13 Racoons one Cat & one fisher being Valued by the Gentlemen to be worth about nine match Coats his Excellency is pleased to give them ten

And Orders that Colonel John Thompson do acq^t them that his Excellency had recd their present by him Sent & hath sent them ten match Coats which is to Shew that we are not at Enmity with them but that if the Said Indians have a desire to make a league of Friendship or Amity with us that he direct them to Come down to Annapolis the 26th day of 8^{ber} next at which time the Assembly meets & that in the mean time they are Suffered to Come & go without any Molestation or disturbance

Then read one other petition of M^r Gerr^d Syles of S^t Marys County which is as followeth

To his Excellency Francis Nicholson Esq^r Cap^t Gen^l & Governor in chief in & over this his Majestys province & Territory of Maryland

The humble Petition of Gerard Sly

Sheweth

That your Petitioner has lately in all humble manner addressed himself to your Excellency setting forth the deep Sence he has of his misfortune in falling under your Excellencys displeasure & of the Grief he is burthened with by being

deservedly found Guilty of abusing a person under whose Lib. x.
Government all Discerning people may plainly see their own p. 147
happiness.

That your Petitioners said Crief & Misfortunes Is the more
heavy to him by understanding that his inconsiderate words
& actions have by some of the people of the Province been
improved to that Degree as to breed some discontents in the
minds of some of the Inhabitants where by your Excellencys
Gov^t might have recd some trouble tho never in the least
imagined or intended by your Petitioner.

And that your Petitioners sincerity in this his humble Sub-
mission to your Excellencys Clemency may be the more
apparently known to the world he unfeignedly offers with all
the Candor imaginable to answer truly to all Such questions
as your Excellency shall please to put to him whereby your
Excellency may receive further satisfaction in the discovery
of any matter that may give your Excellency the least discon-
tent so far as he is Capable of doing to confirm your Excel-
lency in the belief of your Petitioners sincerity in this matter
he humbly offers to deliver unto your Excellency the very
original of the late Articles framed by M^r John Cood Sen^r
under his own hand who is the main Instrument of your
Pet^r present misfortunes and whose Company & Corre-
spondence your Petitioner for his own safety will for the future
avoid & in as much as your Excellencys humble petitioner
hath thus sincerely & with all humility left himself to your
Exc^{lcy}s mercy & has offered to do anything in his Power &
Knowledge that may in any wise conduct to your Excellencys
Satisfaction he humbly hopes your Excellencys Goodness will
so far Condescend as to remit the punishment due to his
Guilt & permit him to go home & mind his own private p. 148
Affairs which for the future shall be the only thing your
Petitioner shall meddle withal therein your Ex^{lcy} will highly
oblige your Petitioner always to pray for your Excellencys
happiness

Gerard Sly

To his Excellency Fra:
Nicholson Esq^r Cap^t
Gen^l & Comm^d in Chief
of this his Majestys Province
of Marylan^d most humbly present this

Advised thereupon that M^r Sly do of himself make a free
& full discovery & deliver all Original Letters & papers past
between him and others that have been concerned with him &
Cood in raising the late disturbances & Comotions.

Lib. X. Produced and read some former proceedings in Council in this Providence of the 29th of June 1688 being the petition of Richard Woolman to have his Patent upon Record altered & the order thereon which is referred to the Iustices of the Provincial Court

Whereas the Board do understand that the sickness is gone & that the People have generally found great Benefit by the Cool Springs & that good Crops are likely to be made the Gentlemen present say the believe the same affords good occasion for a day of thanksgiving to be Set apart.

Ordered that the Commissary General do cause his Records to be inspected to see what devises have been made Contrary to Law viz^t to Superstitious uses or what Gifts & bequests
p. 149 are not legally disposed of & return an acco^t of them to his Majestys Council at Law & so to do the same yearly

Lib. H. D.

September the 6th 1698

p. 224 Then reced of M^r Rich^d Beard high Sherriffe of Ann Arundell County Nine fusees nine Slung ditto Eleaven granado shells Eleaven fusees one Budge Barrell Nine Cartouch boxes Nine Neats leather belts five bright hamer hatchetts three black Ditto four hand Bills three Worms all for the use of Somersett County reced p me

W^m Whittington

September the 5th 1698

Reced of Richard Beard Sher of Ann Arundell County nine fuses nine Slung Ditto nine Cartouch boxes five bright hamer hatchetts three black ditto Nine Neates leather Belts four hand Bills Eleaven Granado shells Eleaven fusees one long shot mould one boudge barrell 3 Worms I say reced p

John Taylor.

Maryland ss

Know all men by these p^rsents that we George Plater Esq^r William Dent of Charles County & Jacob Moreland of S^t Maryes County gentⁿ are holden and firmly bound unto his Ex^{ty} ffancis Nicholson his Matys Cap^t gen^l & Govern^r in Chiefe of his Province of Maryland in the full and Iust Sum^e of one thousand p^ds of good & Lawfull money of England to be paid to the s^d ffancis Nicholson Esq^r his Ex^{ty} Admⁿ or Assignes to the w^{ch} paym^t well and truly to be made we bind our selves and either of us our and either of our heires Ex^{ty} and Admⁿ Iointly and Sev^{ally} for the whole and in the whole

firmlly by these p'sents Wittness our hands and Seals the 22th Lib. H. D.
day of October 1698

The Condition of the above obligation is such that whereas his Ex^{cy} ffrancis Nicholson Esq^r afores^d hath Comissionated & Appointed the above bound George Plater Esq^r to be Nava^l p. 225 officer of the Porte of Patuxent wthin the s^d Province by his Comission bearing Equall Date wth these p'sents. Now if the s^d George Plater shall well and truly pforme the s^d Office According to the Sev'all Acts of Parliam^t in that Case made & provided and shall observe the directions Contained in the Acts of Assembly of this Province relateing to the Duty of Nav^l Officers And from time to time Save Defend and keep harmless the s^d ffra: Nicholson Esq^r from all Damages loss & Charges that the s^d ffra: Nicholson shall Susteine att any time by reason of the s^d Plater's non pformance of his s^d Office so long as he shall enjoy the Same as is in the Sev'all Laws Enacted & Ordained then this Obligation to be Voyd or else to remaine in full force & Virtue

Signed Sealed and Deliv ^d ed	George Plater	[Seale]
in the p'sence of	William Dent	[Seale]
Hen: Iowles	Iacob Moreland	[Seale]
Thomas Tench.		

Maryland ss Novⁱnt univ^rsi p p'sentes Nos Georgium Plater Arm Guliel Dent De Com Charles & Jacobū Moreland de Comit S^t Marys gen^r teneri et firmtr obligari hon^{bis} Combustemar in Angliæ p tempe psente in plen et iust Sum duar Mill Librar bene & Legalis monet Angliæ Solvend eisd Com^{bus} aut Suis Cert Attorn Vel Assignat Suis ad quam quid Solucionem bene & fidlr faciend Obligamus nos et Utrumq nrum p se pro toto et in solido hered Ex^{ces} & Admres urōs firmtr p p'sentes Sigillis uris Sigillat Dat Apud Portu Annapolis Vicesimo 2^d Die mensis Octobris Anno Regni Suprad Di nri Gulili 3^{ti} Dei Gratia Angliæ Scotiæ ffranciæ et Hiberniæ Regis fidei Defensoris &c Decimo Anq Dni 1698.

The Condition of this Oligation in Such that Whereas the above named George Plater is by his Ex^{cy} ffrancis Nicholson Esq^r Cap^t gen^l and Govern^r in Chiefe of his Matys Province of Maryland and Territoryes thereto belonging appointed and Commissionated to be Nav^l Officer of the Porte of Putuxent According to the direction of a Certeine Act of Parliam^t Entituled an Act for the Encouragem^t of trade made in the 15th year of the reigne of our late Sov^reigne Lord King p. 226 Charles the Second of blessed memory now if So be the s^d George Plater shall well & faithfully pforme his Duty in the s^d Office in all things thereunto belonging Then this Obliga-

Lib H. D. tion to be Voyd and of none Effect or else the Same to be in full force & Virtue

Signed Sealed & Delivered	George Plater	[Seale]
in the p'sence of	William Dent	[Seale]
Hen: Iowles	Jacob Moreland	[Seale]
Tho: Tench		

Maryland Ss

Francis Nicholson Esq^r Cap^t gen^l and Gov^r in Chiefe in and Over his Matys Province of Maryland And territoryes thereto belonging and Vice Admirall of the Same To George Plater Esq^r Greeting

Haveing Speciall trust and Confidence in your fidelity Integrity Knowledge and Circumspection I do hereby Nominate appoint and Constitute you the s^d George Plater to be Nav^l Officer of the Porte of Putuxent within this his Matyes Province of Maryland hereby giveing and granting unto you the s^d George Plater full power And Authority to Act do pforme & Execute All and Singular the Lawfull Powers and Authorityes and other things w^{soever} incident to the s^d Office of Nav^l Officer And to take and receive to your Own proper use & benefitt all such Lawfull ffees pquisites and Advantages as to the s^d Office do in any wise Appurteine To have & to hould the Same dureing pleasure Given Att the Town and Port of Annapolis under my hand and Seale this the 22th day of October in the 10th year of the reigne of our Sov^{reigne} L^d King William the 3^d of England &c. Anno Dni 1698

ffr: Nicholson

Recēd from M^r Rich^d Beard Arms belonging to the Country as follows Nine fusees Nine Slung ditto three worms one long bullett Mould Nine Cartouch Boxes, Nine belts for Ditto five bright hatchetts three black Ditto I say recēd the Same for the use of Prince Georges County this 27th 7^{ber} 1698

p me John Addison

[Petition of Justices.]

p. 238 Whereas there have of late been many Scandalous & Defamatory Rumorⁿ and Storeys Stirred up in this Province but more particularly in S^t Marys County tending to the disquiett and trouble of this his Matys happy Governm^t And with which falce Reportes its much doubted many of his Matys Good and peaceable Subjects have been much Amused and Abused by false Notions and Apprehensions which if not Speedily removed may tend to the great Damage and

Punishm^t of such persons no less then disqui^{et} of the Prov- Lib. H. D.
ince the Same things haveing allready brought Sev^{al}l to Con-
digne Punishm^t And will undoubtedly be the portion of all
that psist in such Evills.

And forasmuch as Your Ex^{cy} hath of your Goodness Con-
descended So farr as to lay before the Court and Country
lately p^rsent att Annapolis to a very great number the Severall
rum^{or} and reports that have of late been Invented and Spread
abroad ag^t this his Matys Governm^t And make them all
Appear by Records and other undeniable proofs to be Some
falce Some Scandalous and all Malitious to the full Satisfacc^{on}
and beyond Contradiction in the minds of all p^{er}sons p^rsent
And to the Conviction of those Concerned Insomuch that it
has been rep^rsented to your Ex^{cy} And your Ex^{cy} prayed to
issue forth Proclamations through the Province thereby to
disabuse his Matyes Good Subjects And to Settle them in
peace and quiett And also to Caution and leave without Excuse
all such who by those gentle Admonitions would not be
reclaimed And to lett all know that those very p^{er}sons who were
the Actors And Principles therein are so Sensible of the falsi-
ties and evill thereof that they have made a Publick Acknowl-
edgem^t and entred into Solemne Engagem^t to avoyd and
Abandon the like for the future

We do therefore pray Yo^r Ex^{cy} That it may be published
proclamed and made knowne that all the s^d Rumor^{or} and Storyes
are falce feigned Scandalous And Malitious Invented and
Spread abroad by Iohn Cood as principle Author and others
that have Suffered thereby And so probably would the s^d Cood
also but that he is fledd into Virginia and there harboured
with whom his Matys good Subjects may be Commanded and
required not onely to forebear Associateing and Combineing
but to Seize and app^rhend him Wheresoever found in this
Province And Convey to the next Iustice of peace to be sent
to the Sherr of the County According to a former Proclama-
c^{on} And we do hope and Expect that all p^{er}sons will take warn-
ing And be hereby Cautioned ag^t such practices for the future
It Appearing to us that your Ex^{cy} is desireous And inclined
rather to Caution And prevent the Evill then punish for it And p. 239
not to take Advantag ag^t any for what is past, provided they
behave themselves as they ought for the future And we hope
all p^{er}sons take due notice And Conforme themselves as they
will Answer the Contrary att their uttmost pills

Robert Smith
John Hammond
Rich^d Hill
Thomas Tasker

Thomas Staley }
John Pollard } Justices of the
John Hawkins } Provⁿ Court

Lib. H. D. To his Ex^{cy} Francis Nicholson Esq^r Cap^t gen^l and Comand in Chiefe in and over the Province of Maryland &c.

We whose Names are Subscribed being p^rsent on Saturday last being the 3^d Instant in the Provincia^l Court att which time Your Ex^{cy} was pleased with his Matys hon^{ble} Council^l to Come and declare to the Court and Country then p^rsent the Severall Devices and wicked Machinations that of late had most maliciously and falsly been Invented Studied and Spread abroad to the Defameing and Scandall trouble and disqui^ett of this Happy Governm^t &c. And the Hono^r and Verassity of the Governm^t as well by what you were then pleased to produce and make publick as by Severall other pregnant reasons and proofs being so fully and Clearly Vindicated and the Malitious designes af^d so palpably detected And their Contrivances (we hope) Allmost brought to nought and Supprest. We Conceive ourselves obliged in gratitude and good Maⁿers to yo^r Ex^{cy} and in love and good will to our Countrey humbly to rep^rsent the Same to your Ex^{cy} and to pray,

1st That you will Continue this your Goodness and Care of us. 2^{dly} That you will by Some Proclamac^on or other publick Instrum^t (as yo^r wisdom shall Advise) make the Same known through the whole Province not onely to quiett the minds of those that may have any distrust or doubt but to warne and Caution all others to Avoyd such wicked designes & Contrivances or the least to Engage or be Seduced by them that thereby they may Avoyd those lust punishm^ts that Some are deservedly fallen into for the Same In this we Speake our own hearts and minds and we verily believe of all those that heard the Same and humbly subscribe our names.

Sep^r 5th 1698

Robert Smith, John Hammond, Richard Hill, Thomas Tasker, John Pollard, Thomas Staly James Keech, John Thompson Hawkins Justices.

W^m Turlo, And^r Parker Richard Jones Thomas Coursey, Sam^l Howard, A Miller, Gab^l Parrott, William Round, Gilbert Clark, Edw^d Green, Iohn Hurst, Lanc: Todd, John Duvall, Hugh Riley, Cornelius Howard, Charles Hammōnd, John Willowby, Philip Lynes Elias King, Sam^l Holdsworth, John Holdsworth, Thomas Jones and George Layfield . . . Grand & Pet. Iuro^r

p. 235 George Plater William Dent Robert Gouldsborrough William Bladen, Sam^l Watkins

To his Ex^{cy} Francis Nicholson Esq^r Cap^t gen^l and Govern^r Lib. H. D.
in Chiefe of his Matys Province of Maryland

The Humble Petition of Philip Clark of S^t Mary's County
Most humbly Sheweth unto yo^r Ex^{cy}

That Whereas Iudgem^t is passed ag^t yo^r Petition^r in the Provincall Court of this Province for Six Thousand pounds of Tobb: and six months Imprisonm^t According to An Act of Assembly for Speaking Severall Scandalous and Defamatory Words ag^t your Ex^{cy} And thô your Petition^r must needs own that he deserves no favour or Mercy of your Ex^{cy} haveing been forgiven by you^r Ex^{cy} And Comitting Again the Same Offence aggravated wth the keeping Company with John Cood and Gerrard Slye Notorious disturbers of this Governm^t for all which Offences Your Petitioner Can offer nothing that Can induce yo^r Ex^{cy} to mercy but that he is fully Satisfied of his past Erro^r and heartily Sorry for the Same humbly praying Yo^r Ex^{cy} p^{ro}don and forgiveness And that your Ex^{cy} would be pleased to Extend your accustomed favours and goodness to your Petition^r And as in Duty bound shall Ever pray for your Ex^{cy} long and happy Governm^t under his most Sacred Maty.

Philip Clarke

Maryland ss

We his Matys Iustices of the Prov Court whose names are hereto Subscribed do find that there have been many disturbances and Comotions raised within this Governm^t by M^r John Cood Sen^r late of S^t Marys County And we are Oblieged to declare our Sentim^{ts} thereupon that if his Ex^{cy} S^t Edmund Andros K^t his Matys Live^t & Gov^r Gen^l of Virginia had taken due Care upon the Severall Applications to him made from this Governm^t to have had the s^d M^r Cood App^{re}hended & Secured and delivered up to Iustice in this Province the Same had not happened but the defect therein is the Occasion of these disturbances and Commotions being raised and Sett on foot by the s^d Cood and Severall other p^{er}sons who bragg of theire Security in the Collony of Virginia

Robert Smith	Thomas Staly	} Iust
Rich ^d Hill	John Thompson	
Thomas Tasker	John Hammond	
John Pollard	John Hawkins	
James Keech		

Maryland ss

Att a Provinciall Court held at the Porte of Annapolis the
Second day of Sep^r 1698

Lib. H. D. We The Grand Jury for the body of this Province do find that there hath lately been much disturbances and Comotions raised by M^r John Cood Sen^r late of S^t Mary's County within this Governm^t And we do Conceive That if S^r Edmund Andros Kn^t his Matyes Live^t and Govern^r gen^l of Virginia had taken due Care to have had him App^hended & deliv^{ed} to Justice in this Province the Same had not happened but the defect therein is the great Occasion of these disturbances and Comotions being raised and Sett on foot by the s^d Cood and severall other p^{rs}ons who bragg of their Security in Virginia

W ^m Turlo	Jacob Gibson	} Juro ^{rs}
Henry Hardy	Rob ^t ffeaves	
Thomas Rieves	Abraham Taylor	
And ^r Parker	John Wiatt	
Sam ^l Handy	Thomas Hammond	
Sam ^l Howard	W ^m Hollis	
Chr. Bean	John Manying	
Richard Ienks	Thomas Coursey	

APPENDIX.

COMPLAINT AGAINST CHARLES,
LORD BALTIMORE.

PETITION OF RICHARD RAWSTONE.

PETITION OF CHARLES, LORD BALTIMORE.

ORDER FOR GOV. NICHOLSON'S.
TRANSPORTATION TO MARYLAND.

INSTRUCTIONS TO GOV. NICHOLSON.
CORRESPONDENCE OF GOV. NICHOLSON
AND GOV. FLETCHER.

ILLEGAL TRADING.

PETITION OF WILLIAM PAYNE.

ANDROS TO BOARD OF TRADE.

[Complaint against Lord Baltimore.]

P. R. O.

To their most Excell^{nt} Maj^{ties} William & Mary by the grace of God King and Queen of England Scotland France and Ireland Defenders of the Faith &c^a

Wee of your Maj^{ties} Council and the freemen Inhabitants of this your Maj^{ties} Province of Maryland by their Representatives in a general Assembly now conveened and mett to gether having seriously and maturely perused considered, debated & enquired into the Severall Articles of Impeachment or charge exhibited by our Agents against the Lord Baltemore and his Deputies, Doe upon strict scrutiny thereinto and the Severall Depositions Examinations Papers and Records thereof find the same punctually and exactly true according to the severall parts thereof now by us contracted and hereunto annexed the which wee are able ready and willing to proove defend and maintaine by such further testimonies proofes and evidences as may reasonably be required of us whensoever your Maj^{ties} shall please to call us thereunto by your Royall Commission of Inquiry into the premises and not onely soe but of further insolencies misdemeanours and outrages done and perpetrated since by his Facto^r and Agents here to the disturbance of your Maj^{ties} good and Leige Subjects Inhabitants hereof aimeing at and designing nothing less then the totall Subversion of this your Governmt and your Maj^{ties} Royall Authority over us which they have (as much as in them lyes) endeavoured wholly to obliterate and race out of the minds of your Maj^{ties} most Loyall Subjects the moiety of two shill^l p hogshead by Act of Assembly vested in his Ld^{pp} for the support of Governmt and the contingent charges thereof wee find to have been misapplyd and that his Ldp: the Lord Baltemore is in arreares indebted to the Country Six or Seaven and thirty thousand pounds Sterling at least (whereof his agents have obstinately and peremptorily refused to give any account or produce the booke of entry whereby to make out the same) which wee humbly pray (by your Maj^{ties} Royall Commission) may be enquired into an account thereof duely rendred and satisfaction for the ball: made by his Lsp: By which meanes wee your Maj^{ties} most Loyall Subjects may the better be enabled to express our gratitude to your Maj^{ties} for graciously answering our Petitions in giving us a Protestant Govern^r by

P. R. O. rendring able and sufficient to support and mainetaine the Honor your Maj^{ties} designed for him in the satisfaction Wee received in placing him amongst us.

John Addison	Henry Mitchell
John Courts	Hugh Sherwood
Tho: Brooke	Francis Watkins
Kenelm Cheseldyn Speake.	Tho. Stavv
Io ^a Hammond	John Dorsey
Io: Watson	E. Jones
Rob ^t Mason	J. Wroth
Philip Clarke	Tho. Twenkston
Will Harris	James Smallwood
Hans Hanson	Nea Blackiston
Elias King	Hen. Jowles
John Brooke	Nicholas Greenbury
John Campbell	Thomas Greenfield
Phill. Hoskins	Samuel Wheeler
Char Hutchins	Roger Welford
Thomas Tench	Tho: Sewall
David Brown	Henry Trippe
Edward Pindar	Will ^m Phiney
James Sanders	Rob ^t Crook
Henry Ridgley	Ino. Bozman
Ed Wynne	Lazarus Maddie
Ed Boothby	

(Endorsed)

An humble Address of the Generall Assembly humbly craving redress for the great summs of money due from my Lord Baltemore to this province and for other injuries done by his Lordp to the inhabitants of this province.

Recd 19 Sept 1692.

[Rawstone's Petition.]

To the Kings most excellent Maj^{ty} in Councill The humble Petition of Richard Rawstone late Deputy Collector of the Eastern Shore in Maryland under Christopher Rousbee deceased.

Sheweth,

That your Pet^r did continue his place by the Order of one Nicholas Seawell who officiated as Collector (after the decease of the said Rousbee) till Orders from England, and in pursuance of his trust and to his great costs did seize two vessells which had made no entry, but were very unjustly extorted

from him, by the meanes of Henry Darnall and Nicholas Seawell two of the Judges there and he wrongfully imprisoned and abused to his very great damage & impoverishment as by the annexed case does now fully appeare. And forasmuch as y^r Pet^r in his way for England was taken by the French that he could not before have made his address to your sacred Majestie for reliefe. P. R. O.

Hee therefore humbly prays y^r Maj: will be graciously pleased to grant him an Order, that Sir Tho: Lawrence, Col: Henry Goales, Capt: J. Davis & M^r Tho: Smithson may have liberty that all Atto^rns Records may be produced that have been ag^t y^r Pet^r since the yeare 1685, & that he may have a faire rehearing before Col: Fran: Nicholson the now appointed Gov^r for y^r Maj^s Province of Maryland as well in the Prov^l Courte as in Talbot Country Courte & that he may have liberty to prosecute the s^d Seawell & Darrell for the losses & damages in this behalfe most wrongfully susteyned as y^r Maj: in y^r greate wisdom & justice shall seem meete & y^r Pet^r shall pray &c.

A true Copy.

Richard Colings.

(Endorsed)

22nd January 1693.

Reference of the Petition of Richard Rawstone against M^r Seawell and M^r Darnell. Maryland.

Recd: 31st January 1693/4

Recd 12th February .93/4

At the Court at Whitehall
the 22nd January 1693.

By the Lords of their Majesties most Hon^{ble}
Privy Councill

Upon reading the annexed Petition of Richard Rawstone late Deputy Collector of the Eastern Shore in Mariland complaining of several injuries done him by Henry Darnell and Nicholas Seawell two of the Judges in Mariland, and praying to be relieved. It is this day ordered in Councill that it be and it is hereby referred to the Right Hon^{ble} the Lords of the Committee of Trade and Plantations to examine the matter of the said Petition, and to report to this Board what their Lordships conceive fitt for His Majestie do therein

Richard Colings

P. R. O.

[Baltimore's Petition.]

To the King's most excellent Majestie

The humble Petition of

Charles Lord Baltimore

Sheweth,

That in an Assembly held in Maryland 1692 by Col: Lyonel Copley your Maj^{ty} late Gov^r amongst other Acts there was one past entituled An Act for the secureing the Rights of severall Persons. In which it is enacted that all Lands surveyed before the 10th July 1689 shall be held and enjoyed by the persons for whom the same were surveyed, without being obliged to take Patents & Grants from the Pet^r And likewise that were warrants only were granted and the Lands not surveyed for the five years last past that the Persons to whom such Warrants were granted may proceed to survey your Pet^r Land and enjoy the same as if Patent had been granted by y^r Pet^r. All which being designed by that Act to take away & utterly destroy your Pet^r right & property to his Lands in that Province.

Does therefore most humbly pray your Maj^{ty}: to dissent to that Bill or Act & that your Maj^{ty} Gov^r (for the time being there) may have directions & Orders for the laying that Act aside & that noe Person presume to survey take up and hold any of your Petitioner's Lands without the same be first surveyed by Surveyors appointed by your Petitioner and afterwards past into Patents and Grants under the hand and seale of your Pet^r as formerly.

And your Petitioner as in duty bound &c.

(Endorsed)

22nd February 1693/4

Reference of the Petition of the Lord Baltimore against the Act for secureing the Rights of severall Persons.

Maryland

Recd 24th Feb^{ry} 1693/4.

At the Court at Whitehall

The 22nd February 1693.

Present

The Kings most Excellent Maj^{ty} in Councill.

Upon the humble Petition of Charles Lord Baltimore, this day read at the Board, praying that His Majesty would please

not to assent to an Act or Bill passed in an Assembly held in P. O. R. Maryland in the year 1692 by Col: Copley late Governor there, entituled An Act for securing the Rights of severall Persons, where by the Pet^r right and property to his Lands in that Province will be taken away, and utterly destroyed, and that no person be permitted to survey or hold any of the Pet^r Lands without the same be first surveyed by his Surveyors, and afterwards granted under the hand and seals of the Petitioner as formerly. It is Ordered by His Majesty in Council, That the consideration of this Petition be, and it is hereby referred to the Right Hon^{ble} the Lords of the Committee for Trade and Plantations who are to report their opinion there-upon to this Board what may be fit for His Majesty to do therein.

John Nicholas.

Whitehall the 24th Feb^r 1693/4

Sir,

The Lords of the Comitee of Trade and Plantations having received the Petition of my Lord Baltimore praying that the Act passed in Assembly of Maryland in the year 1692, entituled An Act for securing the Rights of severall persons may not be Confirmed by His Majesty their Ldps are pleased to order the enclosed Copy of the Lord Baltimore's Petition to be sent to you for your consideration thereof, together with the said Act which has been already sent you with the Laws of Maryland with a former reference from their Lordships, and you are desired to report your opinion upon the whole matter of the Petition of the Committee.

I am,

Sir

Your most humble servant.

At the Committee of Trade & Plantations At the Council Chamber at Whitehall the 5th of March 1693/4

Upon reading a Memoriall from Col: Nicholson Governor in Chief of Maryland the Lords of the Comitee agree to move His Majesty in Council that directions may be given that Col: Nicholson with his servants may have passage to this Government at Maryland on board one of their Maj^{ties} Frigates now ready to saile for those parts, And that his servants may be victualled on board during the voyage and that his household goods may be likewise transported thither.

That Directions may be given that the Gov^r of the Plantation's before they receive there dispatches for their respective Governments be sworn in Council for the due observation of the Acts of Trade and Navigation as has been usuall

P. R. O. Mem: Upon laying the foregoing Minutes of the Committee before the King in Council His Majesty was pleased to give Orders accordingly.

[Instructions for Gov. Nicholson.]

William R.

Instructions for our Trusty and Welbeloved Francis Nicholson Esq^r our Captain Generall and Governor in Chief in and over our Province and Territory of Maryland in America and in his absence to the Governor or Commander in Chief of our said Province for the time being. Given at our Court at Whitehall this eighth day of March 1693. In the sixth year of our reign

With these our Instructions you will receive our commission under our Great Seal of England constituting you our Captain Generall and Governor in Chief in and over our Province and Territory of Maryland in America where being arrived you are forthwith to call together the Members of our Council for that our Province and Territory by name Sir Thomas Lawrence Barron^t Henry Iowles George Robotham Nicholas Greenberry Thomas Tench Charles Hutchins David Browne John Addison John Courts Thomas Brook James Frisby and Edward Randolph Esq^r

At which Meeting after having published in usuall Manner our said commission constituting you our Captain General and Governor in Chief of our said Province and Territory you shall take yourself, And also administer unto each of the Members of our said Council the Oaths appointed by Act of Parliament to be taken instead of the Oath of Allegiance and Supremacy as also the Test and the Oaths for the due Execution of their places and Trust.

You are to communicate unto our said Council from time to time such and so many of our Instructions as you shall find convenient for our service to be imparted unto them.

Our Will and Pleasure is that the Members of our Council shall and may have and enjoy freedome of debate and votes in all things to be debated of in Council.

And although by our Commission aforesaid we have thought fitt to advice that any three of our Councillors make a Quorum It is nevertheless our Will and Pleasure that you do not act with a Quorum of less than five Members unless upon extraordinary Emergencies.

And that we may be always informed of the names and characters of persons fitt to supply the vacancies of our Council you are to transmitt unto us by one of our principall

Secretaries of State and to the Lords of our Privy Council P. R. O appointed a Committee of Trade and Plantations with all convenient speed, The names and characters of twelve persons Inhabitants of our said province whom you shall esteem the best qualified to succeed in that trust and so from time to time when any of them shall dye depart out of our said Province or become otherwise unfitt you are to nominate so many other persons to Us in their stead

And in the choice and nomination of the Members of our said Council as also of the principall Officers Judges Assistants Justices and Sheriffs you are always to take care that they be Men of Estate and ability and not neccessitous people or much in debt and that they be persons well affected to our Government.

You are not to suspend the Members of our Council without good and sufficient cause and in case of suspension of any of them you are forthwith to transmitt unto Us as aforesaid and to our Committee for Trade and Plantations your reasons for so doing together with the charges and proofs against the said persons and their answers thereunto.

You are from time to time to send unto Us and to our said Committee the names and Qualities of any Members by you put into our said Council by the first conveniency after your so doing.

You are to transmitt Authentick Copies under the Publick Seal of all Lands Statutes and Ordinances now in force or which at any time shall be made and enacted within our said Province unto Us and our Committee for Trade and Foreign Plantation within three months or by the first opportunity after their being Enacted together with Duplicates thereof by the next Conveyance upon pain of our highest displeasure and the forfeiture of that years Salary wherein you shall at any time or upon any pretence whatsoever omitt to send over the said Laws and Ordinances as aforesaid within the time above limited.

And you shall reduce the Salary of the Members of the Assembly to such a moderate Proportion as may be no Grievance to the Country wherein nevertheless you are to use your discretion so as no inconveniency may arise thereby.

You are to take care that no Mans life Member Freehold or Goods be taken away or harmed in our said Province but by established and known Laws not repugnant to but as much as may be agreeable to the Laws of our Kingdome of England.

You shall administer or cause to be administered the Oaths appointed by Act of Parliament to be taken instead of the Oaths of Allegiance and Supremacy as also the Test unto the Members and Officers of our Council and Assembly All

P. O. R. Judges and Justices and all other persons that hold any office in our said Province by vertue of any patent under our Great Seal of England or the Publick Seal of Maryland.

And that it may be the better understood what Acts and Laws are in Force in our Province of Maryland you are with the assistance of our Council to take care that all Laws now in Force be revised and considered and if there be any thing either in the matter or stile of them which may be retrencht or altered you are to represent the same unto us with your opinion touching the said Laws now in force (whereof you are to send a compleat Body unto Us) with such alterations as you shall think requisite to the end our approbation or disallowance may be signified thereupon.

You shall take care that the Members of the Assembly be elected only by Freeholders as being most agreeable to the custome of England to which you are as near as may be to conform yourself.

And you are to permitt a Liberty of conscience to all persons so they be contented with a quiet and peaceable enjoyment of it not giving offence or scandall to the Government.

You are not to pass any Act or Order within that our Province in any case for levying money and inflicting Fines and Penalties whereby the same shall not be reserved to us for the Publick uses as by the said Act or Order shall be directed And we do particularly require and command that no money or value of money whatsoever be given or granted by any act or Order of Assembly to any Governor Lieutenant Governor or Commander in Chief of our said Province which shall not according to the stile of Acts of Parliament in England be mentioned to be given and granted unto Us with the humble desire of such Assembly that the same be applyed to the use and behoof of such Governor or Commander in Chief if we shall think fitt or if we shall not approve of such gift or application that the said money or value of money be then applyed and disposed of to such other uses as in the said Act or Order shall be mentioned and that from the time the same shall be raised it remain in the hands of the Receiver or Receivers of that our Province until our Royall Pleasure shall be known therein.

And whereas we are willing in the best manner to provide for the support of our Government in Maryland by settling a Part sufficient allowance to such as shall be our Lieutenant Governor or Commander in Chief for the time being within the same Our Will and Pleasure therefore is that when it shall happen that you shall be absent from our said Province one full moyety of the Salary and all perquisites and Emoluments whatsoever which should otherwise become due unto

you during the time of your absence shall be paid and satisfied P. R. O. unto such Lieut: Governor or Commander in Chief who shall be resident upon the place for the time being which we do hereby order and allot unto him for his better maintenance and for the support of the Dignity of that our Government.

Our Will and Pleasure is that all Public Monies raised or to be raised within our said province and Territory of Maryland for the use and support of the Government there be issued out by Warrant from you by and with the advice and consent of the Councill and not otherwise

And Whereas by an Act passed in the Assembly in Maryland the thirteenth day of April 1679. An Impost is by the said Act appropriated for the use and support of the Government Our Will and Pleasure is That towards your maintenance in the Government of our said Province you take to your own use three fourth parts of the said moyety of the Impost of two shillings p Hogshead of Tobacco appropriated as aforementioned by the said Act and you are to take especiall care that according to the Intention of the said Act the remaining fourth part of the Moyety of the said Impost be duly applyed towards the maintaining a constant Magazine with Arms and Ammunition for the defence of our said Province.

And that an Exact Accompt be made up of what has been received of the said Impost since the Meeting of the late Convention in Maryland untill the time of your arrival in our said Province and that the same be transmitted unto our Committee of Trade and Plantations and Commissioners of our Treasury for our Information.

And you are further to recommend to the Assembly in our Name the raising of such other supplies from time to time as may be sufficient for the better support of you our Governor in Chief for the time being and for defraying the necessary charges of the Government.

You are to permitt the Lord Baltemore by his Agents or Officers appointed by him to collect and receive the other Moyety of the said Impost of two shillings p hogshead together with the duty of fourteen pence p Tun upon shipping trading to Maryland for his own use as Proprietary of our said Province.

And you are not in any wise yourself or any other by your Order to intermeddle with the said Moyety of the said Impost of two shillings p hogshead or the said duty of fourteen pence p Tun But to permitt the same to be collected and received by the Lord Baltemore or his Agent as aforesaid without any hindrance or Molestation whatsoever.

You are from time to time to permitt the Assembly to view and examine the accompt of Money or value of Money dis-

P. R. O. posed of by virtue of such Laws as are now in force or shall be passed by them which you are to signify unto them as occasion shall serve.

Our express Will and Pleasure is that all Laws whatsoever for the good Government and support of our said Province be made indeffinite and without limitation of time except the same be for a Temporary End and which shall expire and have its full Effect within a certain time.

And therefore you shall not enact any Law which shall be once enacted by you except upon very urgent occasions but in no case more than once without our express consent.

You shall not remitt any Fines or Forfeitures whatsoever above the sum of Ten Pounds before or after sentence given nor dispose of any Escheats Fines or Forfeitures untill you upon signifying unto our Committee of Trade and Plantations and to the Commissioners of our Treasury or our High Treasurer for the time being the nature of the offence or occasion of such Fines Forfeitures or Escheats with the particular sums you shall have received Our Directions therein. But you may in the meantime suspend the payment of the said Fines and Forfeitures.

You shall not permitt any act or Order to pass within our said Province whereby the Price or Value of current money within your Government may be altered without our particular leave or direction therein.

And you are particularly not to pass any Law or do any Act by Grant Settlement or otherwise whereby our Revenue may be lessened or impaired without our especial leave or commands therein.

You are to require the Secretary of our Province or his Deputy for the time being to provide Transcripts of all such Acts and Publick Orders as shall be made from time to time together with a Copy of the Journall of the Councill to the end the same may be transmitted unto us as above directed which he is duly to perform upon pain of incurring the forfeiture of his Place.

You shall not displace any of the Judges Justices Sheriffs or other Officers or Ministers within our said Province without good and sufficient cause to be signified to us and the Lords of the Committee of Trade and Plantations nor shall you execute yourself or by Deputy any of the officers nor suffer any person to execute more offices than one by Deputy.

You shall not erect any Court or Office of Judicature not before erected or established without our especiall Order and you are to transmitt unto us with all convenient speed a particular account of all Establishments of Jurisdictions Courts Offices and Officers Powers Authorities Fees and Priviledges

granted or settled within our said Province to the end you P. R. O. may receive our especiall directions therein.

You shall likewise take especiall care with the advice and consent of our said Councill to regulate all Salaries and Fees belonging to Places or paid upon Emergencies that they be within the bounds of moderation and that no action be made upon any occasion whatsoever.

And that God Almighty may be the more inclined to bestow his Blessing upon us and you in the Welfare and Improvement of that our Province you shall take especiall care that he be devoutly and duly served within your Government the Book of Common Prayer as it is now established read Sunday and Holy day and the Blessed Sacrament administered according to the Rights of the Church of England you shall take care that the Churches already built there shall be well and orderly kept and more built as the Colony shall by Gods Blessing be improved and that besides a competent maintenance to be assigned to the Minister of each Church a Conven' house be built at the common charge for each Minister you are not to preferr any Minister to any Ecclesiasticall Benefice in that our Province without a Certificate from the Right Reverend the Bishop of London of his being conformable to the doctrine and Dicipline of the Church of England and of a good life and conversation. And if any person already preferred shall appear to you to give Scandall either by his doctrine or manner you are to use the best means for the Removal of him and to supply the Vacancy in such manner as we have directed and you are to give order forthwith if the same be not already done that every Orthodox Minister within your Government be one of the Vestry in his respective Parish and that no Vestry be held without him except in case of sickness or that after notice of a Vestry summoned he absent himself and you are to enquire whether there be any Minister within your Government who preaches and administers the Sacrament in any Orthodox Church or Chappell without being in due orders whereof you are to give an account to the said Bishop of London.

And to the end the Ecclesiasticall Jurisdiction of the said Bishop of London may take place in our Province as far as conveniently may be We do think fit that you give all countenance and encouragement in the exercise of the same excepting only the collating to Benefices Granting Lycences for Marriage and probate of Wills which we have reserved to you our Governor or the Commander in Chief for the time being.

You are to take care that a Table of Marriages established by the Church of England be hung up in every Orthodox

P, R. O. Church and duly observed and to endeavour to get a Law If the same be not already passed in the Assembly for the strict observation of the said Tables.

You are to take care that Drunkenness and Debauchery swearing and Blasphemy be severely punished and that none be admitted to Public Trust and Employment whose ill fame and conversation may bring Scandall thereupon.

You shall take care that all Planters and Christian servants be well and fitly provided with Arms and that they be listed under Officers and when and as often as you shall think fit mustered and trained whereby they may be in a better readiness for the defence of our said Colony under your Government.

You are to take especial care that neither the frequency nor unreasonableness of remote marches, musters & trainings be an unnecessary impediment to the affairs of the Planters.

And you shall not upon any occasion whatsoever establish or put in execution any Article of Warr or other Law Martiall upon any of our subjects inhabitants of our said Province without the advice and consent of our Councill of Maryland.

And for the greater security of that our Province you are to appoint fit Officers and Commanders in the severall parts of the Country bordering upon the Indians, who upon any invasion may raise men and armes to oppose them untill they shall receive your directions therein.

In case of distress of any of our Plantations you shall upon application of the respective Governors to you, assist them with what aid the condition and safety of your Government will permit.

You shall cause a Survey to be taken of all the considerable landing places & Harbours in Our said Province and with the advice of Our Councill erect in any of them such Fortification as shall be necessary for the security and advantage of Our Province w^{ch} shall be done at the publick Charge of the Country not doubting of the chearful concurrence of the Inhabitants thereunto from the common security and benefit they will receive thereby.

You shall take an Inventory of all arms aṃmunition and Stores remaining in any of Our Magazines or Garisons in Our said Province and send an account of them yearly to us by one of Our principall Secretaries of State, and to Our Committee for Trade and Plantations

You are to take special care that fit Store Houses be settled throughout Our Province for receiving and keeping of Arms, Aṃmunition and other Publick Stores.

That we may be the better informed of the Trade of Our said Province you are to take care that due Entrys be made

in all Ports of all Goods and Commodities imported from thence, P. R. O. and from and to what places they come and go, and that a yearly account thereof be transmitted by you unto Us by one of Our principal Secretaries of State and to Our Committee for Trade and Plantations.

You are to take especial care that all Tobaccos shipt in Maryland from what part soever they come that they pay Maryland dutys.

And whereas great losses have been sustained by Our Subjects trading to Our Plantations in America by ships sailing from those parts without Convoy or in company with other ships whereof they might be protected from their enemies, by which meanes many of them have been taken by the French in their return to England. To the end therefore that the ships of Our subjects may be better secured in their return home. Our will and pleasure is and we do hereby strictly charge and require you to take care that during this time of war, no ships trading to that Province be permitted to come from Maryland to England but in Fleets or under the Convoy and protection of some of our ships of war or at such time as you shall receive notice from hence of their meeting such convoy as may be appointed for the bringing them safe to some of Our Ports in this Kingdome, and in case of any danger, you are to expect directions from hence, what precautions shall be necessary for their security.

You are to suppress the ingrossing of Commodities and to settle such Orders and regulations therein with the advice of Our Councill as may be most acceptable to the Inhabitants.

You are to give all due encouragement and invitation to merchants and others who shall bring Trade unto Our said Province or anyways contribute to their advantages in particular to the Royal African Company. And you are to take care that there be no trading from Maryland to any place in Affrica within the Charter of the Royal African Company and you are not to suffer any ships to be sent thither without their leave or authority.

You are carefully to observe all the Articles contained in the Treaty for composing of differences and the establishing of Peace in America concluded at Madrid the 8/18th day of July 1670 with the Crown of Spain.

And in case any private injury or damage shall be offered or done to any of Our Subjects in those parts, by any of the subjects of the King of Spain, or of any other Prince or State in amity with us, you shall take care to give Us an Account with all convenient speed by one of Our principall Secretaries of State, and to Our Committee for Trade and Plantations, and not to permitt or encourage reparations to be sought in any

P. R. O. other way than what is directed and agreed in the said Articles of Madrid and other Treaties, And you are particularly not to grant Commissions of Warr or Reprizalls against any Prince or State or their Subjects in amity with Us, to any person whatsoever without our speciall command.

You are not to admitt or allow of any Appeals whatsoever to be made from the Governor and Council unto the Assembly. But whereas we judge it absolutely necessary that all Our subjects may have liberty to appeale unto Us in cases that may deserve the same Our Will and Pleasure is that if either party shall not rest satisfied with the judgement or sentence of Our Governor or the Comander in Chief and Council, they may then appeal unto Us in Our Privy Council Provided the matter in difference exceed the real value or summe of £300 sterling and that such appeal be made within one fortnight after sentence and security first given by the Appellant, to answer such charges as shall be awarded, in case the sentence of Our Governor or Comander in Chief and Council in Maryland be confirmed. Provided also that execution be not suspended by reason of any such appeal be too frequently and for too small a value brought unto Our Governor and Council. You shall therefore with the advice of the Council propose a Law to be passed wherein the method and limitation of Appeals unto Our Gov^r and Council may be settled & restrained in such manner as shall be found most convenient and easy to Our Subjects in Maryland.

And whereas Richard Rawstone late Deputy Collector of the Eastern shore in Our Province of Maryland has represented by his Petition to Us that having seized two vessels which had made no Entry they were unjustly extorted from him by means of Henry Darnell & Nicholas Seawell, two of the Judges there, and the Pet^r was imprisoned to his very great damage & impoverishm^t and therefore humbly praying that all Records against him since the year 1685 may be produced and that he may be reheard thereupon in the Provincial Court and in Talbot County Court within Our said Province and that he may have liberty to prosecute the said Seawell and Darnell for the losses and damages sustained by the Pet^r in this behalfe Our Will and Pleasure is that all actions and records against the Petitioner in Maryland since the year 1685 be produced and that he be reheard according to the Petitioners' request thereupon, and that the Pet^r have liberty to prosecute the said Seawell and Darnell for the losses and damages he has sustained in this behalfe.

You shall endeavour to get a Law passed for the restraining of inhumane severities which by ill masters and Overseers may be used towards their Christian servants or slaves, and

that provision be made therein, that the wilfull Killing of Indians & Negroes may be punished with death, & that a fit penalty be imposed for the maiming of them. P. R. O.

You are also with the assistance of Our Councill and Assembly to find out the best means to facilitate and encourage the conversion of negroes and Indians to the Christian religion.

You are to recommend to Our Councill and Assembly the raising of a Stock & building publick Workhouses in convenient places for the employing of poor and indigent people.

And forasmuch as great inconvenience may arise by the liberty of printing within Our Province of Maryland, you are to provide by all necessary Orders that noe person use any Press for printing upon any occasion whatsoever without your special Lycence first obtained.

Lastly if any thing shall happen that may be of advantage or security to Our said Province which is not herein or by Our Commission provided for We do hereby authorize and direct you with the advice and consent of Our Councill to take Order for the present therein Giving Us by one of Our principall Secretaries of State and the Lords of Our Privy Councill appointed a Committee for Trade and foreign Plantations speedy notice thereof and of all your proceedings and the condition of affairs within your Govern^t for Our information and directions. Provided always that you do not by colour of any power or authority hereby given you, commence or declare warr without Our Knowledge and command therein, except it be against Indians upon emergencies, wherein the consent of Our Councill shall be had and speedy notice thereof given unto Us.

By His Majesty's Command
Nottingham.

Copy of severall Letters and Papers received from New York with Answers to the same upon his Excell^{ty}s first arrival into this Province which being before omitted to be sent with the Journalls among the other Proceedings are now (by Ord^r) drawn forth of the Councill Book to be transmitted for England and run in these following words Viz^t

New York 24th September 1694.

Sir,

I did expect to hear of your arrivall to your Government but imbraced the present opportunity to wish you much joy. Your Councill can inform you how matters are between Maryland and New York the Accounts and protested Bills

P. R. O. for Four hundred and fifty three pounds Ster^l were sent to them in the last from S^r Thomas Lawrence he did excuse the non payment of that money at that time the Revenue being indebted and promised care should be taken in the next Assembly which I believe is now effected by your conduct. I have sent you a Copy of my Treaty with the five Nations of Indians whereby you will preceive how they are apprehensive of the inequality of their burthen of the Warr and have patcht up a Peace with Canada which I was obliged to acquiese with not being in a condition to make Warr upon them it will be much the concern of Maryland as well as of other Provinces that the Indians be kept stedfast to the English and the Frontiers of this Province better secured were there sufficient Force to justify all our Posts this had not gone so farr and I doubt not yet to reclaim them I have proposed a new scheme of a joynt assistance which is inclosed the like is sent to Sir Edmund Andros so desire you will consider of it—Count Frontiniack is at Mount Royall with considerable Forces hath some design, I have sent to discover his motion and give you a Copy of the Intelligence.

I am Sir
your Ex^{cy}s humble servant
Benj^a Fletcher.

Gov^r Maryland.

Answer to the foregoing letter as follows viz :

St. Maries City
Oct^r 18th 1694.

S^r

Y^r Exc^{ys} letter of the 24th of Sept^r past with inclosed papers I rec^d the w^{ch} were communicated to the Councill the eighth day of Oct^r inst. and so sent down to the House of Burgesses together with his Ma^{ties} Royall Letter of the 11th Oct^r 1692 relating to the assisting your Frontiers &c against the French and Canida Indians and y^r the state of the whole matter might be fully known I caused the severall letters and papers passing betwixt the two Governm^{ts} to be likewise laid before the House; an answer whereto the inclosed paper is a copy the Gent^a of the Councill agreeing and assenting to the same.

The other inclosed paper is copy of the Councills reasons why the Forraigne Indians w^{ch} came into this Governm^t about two years agoe with intent to settle should not be entertained among us.

I find the revenue of this Province to be very precarious and the Governm^t altogether destitute of any Banck or Fund of money and which is worse is at present much in arrears

therefore can do no more save truly to represent the whole P. R. O.
affair to their sacred Ma^{ties}

I am Sir
your Ex^{cles} humble servant
Fr. Nicholson

Gov^r New York.

[Illegal Trading.]

After Our very hearty comendation complaint having been made to their Maj^{ties} by the merchants trading to Virginia and Maryland that their Trade is in a great measure destroyed and ruined by many ships trading directly from Scotland and Ireland to Virginia Maryland and Pensilvania and from thence back to the said places without paying their Maj^{ties} dues, to the undervaluing Trade to all such fair Traders who observe the Act of Navigation For the prevention as much as may be of such illegal Trade for the future We have received their Maj^{ties} Commands and accordingly we do hereby signify their Maj^{ties} Royal will and pleasure unto you that you cause one or more small vessels of about forty tun each to be hired, with skilfull Comanders in those parts for whom you will be answerable and to appoint them to cruise upon the costs of Maryland and Pensilvania with power to examine all ships trading to and from those parts and to inspect the clearings of the said ships in the Collectors Books in order to the discovery of forged Cocquets & Certificats And for the defraying the charge of such vessels and encouragement of the Commander or Commanders thereof You are hereby authorized and empowered to dispose of their Maj^{ties} third part of the forfeitures upon the Acts of Trade and Navigation and the Penalties recovered on forfeited bonds within your Government in such manner as you shall find most conducing to their Maj^{ties} service herein And for the better guidance of the Comander or Comanders of such vessels as shall be employed in this Province, you will herewith receive the draught of Instructions which you are to give unto them, and you are from time to time and as often as you shall see convenient to take an acc^t from the Comander, or Comanders of such vessels of their proceedings in the execution of their Instructions to the intent that under colour of executing the power and directions which shall be thereby given unto them, they do not molest and hinder the legall prosecution of Trade in those parts as well to the prejudice of their Maj^{ties} Revenue here, as of their Maj^{ties} subjects in the Plantations and soe We bid you very heartily farewell From the Treasury Chamber at Whitehall the 15th day of November 1694 in the 6th year of their Majesties' reign

Your very loving Friends.

P. R. O.

[Payne's Petition.]

To the King's most excellent Majesty

The humble Petition of

William Payne D.D.

Chaplain in Ordinary to your Majesty

Sheweth,

That your Petitioner's brother John Payne Gent: was in the beginning of the Revolution murdered in your Maj^y cause and on your Majesty's account by the Papists in Maryland opposing your Maj^y interest and Government in that Province and left two small children with little or no provision to the sole care of your Pet^r who hath seven of his own.

Your Petitioner therefore humbly prays that your Majesty out of your Royal bounty and goodness to him & his brother's children will be pleased to grant to his family for their lives or for ever the place of Commissary for Probate of Wills and granting Lycences of Marriage and letters of administration in the said Province of Maryland to be executed by a sufficient deputy.

And your Petitioner shall ever pray

(Endorsed)

D^r Payne's Petition

Read 12th March

From Sir Ed: Andros.

to the Lords of the Committee of Trade & Plantations

May 4th 1694.

May it please your Ldps,

Having received severall Letters from the President & Councill and Sir Thomas Lawrence Secretary of this their Majesties Province and Territory representing occasions of my coming to them for their Maj^{ties} service, to which, and that I might not be waiting in the continued quiet of this place, I came from Virginia (where all very well) to be here by the tyme of this Provincial Courte appointed to sitt the 1st Tuesday in May; when, there not being a Quorum, 'twas adjourned to the next day, and Sir Thomas Lawrence delivering me their Maj^{ties} Order in Councill of the 28th of September restoring him to his place of Councillor and Judge of the said Provincial Courte, the same being read was ordered to be entered in the Council Books, to be observed accordingly, upon which

and by reason of the yet small appearance, I did by advice of P. R. O. those present in Councill, issue out a new Commission to the former and others, for the Provincial Courte of which Sir Thomas Lawrence Chiefe Justice, who have since sate and proceeded as usual, and all very orderly and quiet in that particular, and I hope soon the coming of some Councillours wanting, and all else relating to their Maj^{ties} present service to be well settled till the arrival of their Majesties' Commands which I shall be glad may be very speedily by a Governor for this Province from whence (as commanded) 250^l is sent for the assistance of New Yorke and 500^l from Virginia as by an account thereof and all other proceedings ordered to be transmitted to your Lordships for which 500^l of Virginia on the representations of New Yorke and their apprehended necessitys, pray your Lordships favour to their Maj^{ties} out off the Quit rents, the other Revenue not being now sufficient but in arrears, and all being well here, am now on my returne to Virginia and remaine

Your Lordships
obedient and most
humble servant

S^t Marys in Maryland
May 4th 1694.

Andros.

(Endorsed)

Rec^d 5th July 1694
Read 17th August 94.

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